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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

I

THE TERRITORY OF OREGON:

DURING THE

FIRST SESSION OF THE LEGISLATIVE ASSEMBLY,

BEGUN AND HELD AT

OREGON CITY, JULY 16, 1849.

In the seventy-fourth year of the Independence of the United States.

OREGON:
ASAHEL BUSH, PUBLIC PRINTER.
1854.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

In pursuance of a Proclamation by the Governor of Oregon Territory, the persons elected to the House of Representatives, of said Territory, met at Oregon City, on Monday, the 16th day of July, A. D. 1849.

The House was temporarily organized by electing A. L. Lovejoy Speaker, pro tem., and Wm. Porter Clerk.

The following members then presented their credentials, and were sworn into office, to wit:

From Clackamas county—A. L. Lovejoy, J. D. Holman and G. Walling.

From Champoeg county—John Grim, W. W. Chapman and W. T. Matlock.

From Linn county—J. Dunlap and J. Consor.

From Benton county—G. B. Smith and J. L. Mulkey.

From Polk county—S. Burch and H. N. V. Holmes.

From Yamhill county—J. Walling and R. Kinney.

From Tuality county—D. Hill and W. M. King.

From Clatsop, Lewis and Vancouver counties—M. T. Simmons.

The House then adjourned to meet at 3 o'clock, P. M.

AFTERNOON SESSION.

The following message was received from the Council, to wit:

Resolved, That the lower House be informed that the Council is organized, and have elected Samuel Parker, President, C. M. Walker, chief Clerk, A. A. Robinson, assistant Clerk, C. Davis, Sergeant-at-arms, and Samuel Kenney, Door-keeper, and are now ready for business.

A. J. Hembree, of Yamhill county, presented his credentials, was sworn into office, and took his seat.

The House then went into an election of officers, whereupon A. L. Lovejoy was elected Speaker; William Porter, chief Clerk; B. Genois, assistant Clerk; Wm. Holmes, Sergeant-at-arms, and Daniel Bailey, Door-keeper.

The House then adopted Jefferson's Manual as rules for the government of the House, so far as the same may be applicable.

Resolved, That the Speaker invite some minister of the gospel to officiate as Chaplain, on to-morrow morning.

The House then adjourned until 9 o'clock, to-morrow morning.

JULY 17, 1849—9 A. M.

The House met pursuant to adjournment.

Resolved, That the Council be informed that the House is now organized, having elected A. L. Lovejoy, Speaker, Wm. Porter, Chief Clerk, B. Genois, Assistant Clerk, Wm. Holmes, Sergeant-at-arms, and Daniel Bailey, Door-keeper, and is now ready to proceed to business.

Mr. Chapman offered the following resolution:

Resolved, That a committee of two be appointed, on the part of the House, to act in conjunction with a like committee on the part of the Council, to enquire and report upon the propriety of obtaining the necessary printing for the two Houses, and such other matters pertaining thereto, as they may deem pertinent.

Which resolution was adopted.

Messrs. Chapman and Smith were appointed the committee on the part of the House.

Mr. Hill offered the following resolution:

Resolved, That the Executive be informed that the House is now organized, and ready to receive any communication he may wish to make, and that seats on the right of the Speaker's chair be provided, and that the Council be invited to them, when the Governor shall intimate to the House that he has any communication to make in person.

Which resolution was adopted.

Messrs. Hill, Chapman and Kinney were appointed a committee to wait upon the Governor.

Mr. Consor offered the following resolution:

Resolved, That J. Quinn Thornton be permitted to have the use of this house, this evening in which to deliver a lecture.

Which resolution was adopted.

Mr. Matlock offered the following resolution:

Resolved, That the House appoint, by their Speaker, ten Standing Committees, consisting of three members each, viz: On Judiciary, on Ways and Means, on Education, on Claims, on Military Affairs, on Roads, on Engrossed Bills, on Enrolled Bills, on Indian Affairs, and on Elections.

Which resolution was adopted.

The committee appointed to wait upon the Governor, report that he will be ready to meet them, in person, at half-past ten, in the Hall of Representatives.

On motion of Mr. Walling,

A committee of three was appointed to wait upon the Council, and inform it of the intention of the Governor, as signified in the foregoing report.

Messrs. Walling, Hembree and Holman were appointed said committee.

The Council adjourned to the Representative Hall, when the Governor delivered his message in person.

On motion of Mr. Hill,

The Governor's Message was laid upon the table.

On motion of Mr. Hill,

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

On motion of Mr. Consor,

A committee of three was appointed to confer with a like committee from the Council, to draft joint rules, to govern the two Houses.

The following message was received from the Council:

Resolved, That a committee of two be appointed to confer with such committee as the House may be pleased to appoint, to draft rules for the government of the joint action of the two Houses; whereupon the President appointed Messrs. Blain and Shannon said committee.

On motion of Mr. Consor,

The resolution offered by him, and adopted by the House, in reference to joint rules, was reconsidered.

Mr. Burch offered the following resolution:

Resolved, That the House proceed to the election of a Chaplain; whereupon Mr. Johnston was duly elected chaplain.

On motion of Mr. Hill,

A committee of two was appointed to confer with the committee appointed by the Council, for the purpose of drafting joint rules for the government of both Houses.

Messrs. Consor and Matlock were appointed said committee.

Mr. Chapman offered the following resolution:

Resolved, That the Council be informed that the House has elected the Rev. Mr. Johnston, Chaplain to the House.

Adopted.

The House adjourned until 9 o'clock, A. M., to-morrow.

JULY 18, 1849, 9 A. M.

The House met pursuant to adjournment.

On motion of Mr. Walling;

A committee of three was appointed to confer with the Governor, in reference to furnishing the House with suitable seats and desks, for the better convenience of its members.

Messrs. Walling, Holmes and Smith were appointed said committee.

The report of the committee to confer with that of the Council, to draft rules for the joint action of both Houses, was adopted, and the committee discharged.

On motion of Mr. Consor,

A committee of one from each county, or district, was appointed to draw up memorials to the Congress of the United States, relating to the interests and promotion of the citizens of Oregon Territory.

Messrs. Consor, Chapman, Walling, Kinney, King, Holmes, Mulkey and Simmons were appointed said committee.

Resolution from the Council:

Resolved, That a committee of two be appointed, to act in conjunction with such committee as the House may appoint, to draft a memorial to the Congress of the United States, in relation to the affairs and interests of Oregon Territory.

Also, another resolution from the Council, viz:

Resolved, That the House be informed that the Council have

adopted the joint rules for the government of the two Houses, agreed to by the joint committee.

The committee appointed to confer with the Governor, in relation to fixtures for the convenience of the members of the House, report that the Governor will provide the desired accommodations.

The committee was discharged.

The rules for the joint action of the two Houses, were read and adopted.

JOINT RULES OF BOTH HOUSES.

RULE 1. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper, under the signature of their clerks, respectively.

RULE 2. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled on paper, and the clerk of the House where it originated, shall endorse on the back thereof, the House in which it originated, under which he shall place his signature.

RULE 3. Every bill or joint resolution, after being enrolled, shall be examined by the joint committee on enrolled bills, consisting of at least one member from each House, who shall compare the same with the engrossed bills, and correct any errors they may discover, so as to make it agree therewith, and make their report forthwith to their respective Houses.

RULE. 4. Every bill or joint resolution reported to have been duly enrolled, shall be signed first by the Speaker of the House of Representatives, who shall send the same to the Council, then by the President of the Council.

RULE 5. All bills and joint resolutions shall be signed by the Speaker of the House of Representatives, and President of the Council, in their Houses respectively, when in session, and shall be carefully noted on the journals of each House.

RULE 6. When any paper, or papers, proper to be acted upon by both Houses, shall come before either, the House before which such paper or papers are laid, shall, after acting thereupon, lay it, or them before the other House.

RULE 7. In case of disagreement between the two Houses, after passing the usual formalities, each shall appoint, at the request of the other, two members, to act as a committee of conference, which committee shall meet, endeavor to compromise the matter in dispute, and report to each House their proceedings thereon.

RULE 8. In all cases where the Sergeant-at-arms of one House shall, by reason of official duties, or other cause, be unable to execute the commands or process of the House of which he is an officer, it shall be the duty of the Sergeat-at-arms of the other House, to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

RULE 9. When a message is sent to the Council or House of Representatives, it shall be announced at the door by the Sergeant-

at-arms, or Door-keeper, and shall be respectfully communicated to the chair by the person by whom sent.

RULE 10. Messages shall be sent by such persons as the President of the Council, or Speaker of the House of Representatives may designate for that purpose.

RULE 11. No bill that shall have passed either House, shall be sent for concurrence to the other, on the last day of the session.

The foregoing rules were read and adopted by the House.

Message from the Council:

Resolved, That a committee of two be appointed to call on the House for the Message, or a copy of the Message of the Governor, for the use of the Council.

The following standing committees were announced by the Speaker:

On Elections—Messrs. Hill, Dunlap and Mulkey.

On Ways and Means—Hembree, Grim and Holman.

On Education—Matlock, Burch and King.

On Judiciary—Chapman, G. Walling and Consor.

On Claims—Dunlap, J. Walling and Simmons.

On Military Affairs—King, Kinney and Consor.

On Roads—Burch, King and Simmons.

On Engrossed Bills—Holman, Grim and Smith.

On Enrolled Bills—Chapman, Dunlap and Holmes.

On Indian Affairs—Smith, Consor and Hill.

On motion of Mr. King,

The Governor's message was taken up,

And so much as refers to Elections, was referred to committee on Elections.

So much as relates to Ways and Means, was referred to committee on Ways and Means.

So much as relates to Education, was referred to committee on Education.

So much as relates to the Judiciary, was referred to committee on the Judiciary.

So much as relates to Claims, was referred to committee on Claims.

So much as relates to Military Affairs, was referred to committee on Military Affairs.

So much as relates to Roads, was referred to committee on Roads.

And so much as relates to Indian Affairs, was referred to committee on Indian Affairs.

On motion of Mr. Chapman,

So much of the Governor's message as relates to memorializing Congress, was referred to the select committee on Memorials.

On motion of Mr. Matlock,

Mr. Grim was added to the committee on the Judiciary.

On motion,

The Governor's Message was sent to the Council, for its use, as well as that of the House.

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

On motion of Mr. King,
The following resolution was adopted:

WHEREAS, The Council, the higher branch of this Legislature, has deemed it proper to appoint a committee to act with another committee to be appointed by this House, as a joint committee, for the purpose of drafting a memorial to the Congress of the United States; and

WHEREAS, It is believed by this House, that the object would be better attained by the committees acting separately, in drafting the said memorial, therefore

Resolved, That the Council be informed that this House does not concur in the appointment of a joint committee for that purpose.

On motion of Mr. Hill,
The committee on memorializing Congress, was instructed to make their report as soon as the nature of the case will admit.

On motion of Mr. Matlock,
Leave of absence was granted to Mr. Grim, until twelve o'clock, M. to-morrow.

On motion of Mr. Kinney,
The House adjourned until 9 A. M.

JULY 19, 1849, 9 A. M.

The House met pursuant to adjournment.
Mr. Matlock gave notice that on to-morrow he would introduce A bill to locate the seat of government of Oregon Territory.
The reports of various committees having been called for,
Mr. Chapman, from committee on the Judiciary, reported A bill to define the jurisdiction of the Supreme and District Courts.
On motion of Mr. Chapman,
The bill was read a 1st and 2d time by its title, and referred to the committee of the Whole.
Mr. Burch made a motion to adjourn until 3 o'clock, P. M.
Motion lost.
The following message from the Council was received:

Resolved, That the House be informed that the Council has rescinded the resolution appointing a committee to join such committee as may be appointed by the House, to draft a memorial to the United States Congress; and have appointed a committee on the part of the Council.

On motion of Mr. Walling,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Chapman offered the following resolution:

Resolved, That the Council be notified that the House has adopted the joint rules for both Houses.

On motion of Mr. Chapman,
That a committee of two, on the part of the House, be appointed by the Chair, to act in conjunction with a like number, to be appointed by the Council, to enquire into the expediency of the two Houses adjourning until after harvest; and that they report, by resolution, or otherwise.
Which was adopted.
Messrs. Chapman and King were appointed said committee.
On motion,
The House adjourned until 9 o'clock, A. M.

JULY 20, 1849, 9 A. M.

The House met pursuant to adjournment.
The following message was received from the Council.

Resolved, That a committee of two be appointed by the President to join the committee appointed by the House, to enquire into the expediency of adjourning the two Houses until after harvest.

Whereupon,
The President appointed Messrs. Ford and Buck said committee.
The Speaker called for petitions, by counties.
There being none,
Reports of standing committees were called for.
Whereupon,
Mr. Burch, from the committee on roads and highways, reported
A bill, entitled "an act to open and repair roads and highways."
Which was read the first and second times, and referred to the committee of the whole.
Mr. Chapman offered the following resolution:

Resolved, That the Governor be requested to communicate to the House, whether it is likely any report from the Territorial Treasu-

rer, or Auditor, may be expected; if not, that he be requested to cause such report to be made to this House. 2nd, That the Governor be requested to inform the House, whether any disposition has been made of the fund appropriated for the purchase of a Library, and if so, what disposition.

Adopted.

Mr. Matlock offered the following resolution:

Resolved, That a committee consisting of three members, be appointed to inquire into the expediency of passing a law to regulate the introduction, manufacture and sale of ardent spirits.

Adopted.

The Speaker appointed Messrs. Matlock, Hill and Holman said committee.

Mr. Matlock, in pursuance of previous notice, introduced a bill, entitled,

An act to locate the seat of government of Oregon Territory;

Which was read a first time, and passed to ts second reading.

On motion of Mr. Matlock,

The House resolved itself into committee of the whole, upon the bill reported by committee upon the Judiciary, entitled,

A bill to define the jurisdiction of the Supreme and District Courts.

On motion of Mr. Matlock,

The committee rose, and reported the bill back to the House, without amendment.

Which report was adopted.

On motion,

The bill was considered engrossed—read a third time, and

On motion,

Was laid on the table.

On motion of Mr. Kinney,

Mr. Meek was allowed the use of this House this evening, in which to make a few remarks.

On motion,

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

A memorial to the Congress of the United States, was received from the Council,

Which was read, and

On motion of Mr. Chapman,

Was referred to the select committee on memorials.

On motion,

The House adjourned until 9 o'clock, A. M.

JULY 21, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Burch having obtained leave of the House, presented a bill, entitled,

A bill to regulate ferries,

Which was read the first time, and passed to its second reading.

Also, a bill respecting seed horses,

Which was read the first time, and passed to its second reading.

Mr. King, from the committee appointed to enquire into the expediency of adjourning the two Houses until after harvest, reported by resolution, that, the Council concurring therein, the two Houses will adjourn on Saturday next, at 10 o'clock, A. M., until the day of , 1849,

Which report was adopted, and the committee discharged.

Mr. Chapman, from the committee on printing, reported the following resolution:

Resolved, That a joint committee of two from each House, be appointed to contract for the necessary printing.

Which report was adopted.

Whereupon, Messrs. Chapman and Holman were appointed said committee.

On motion,

The resolution in reference to the adjournment of the two Houses, was taken up.

Mr. Burch made a motion that the blank be filled with "first Monday of October next,"

Which was lost.

Mr. King moved to fill the blank with "first Monday of September next,"

Which was also lost.

Mr. Holmes made a motion to fill the blank with "first Tuesday of October next,"

Which was carried.

Mr. Chapman offered an amendment to the resolution, by adding, "To Salem, in Champoeg county."

While said amendment was pending,

On motion of Mr. Hembree,

The House adjourned until 9 o'clock, A. M., on Monday.

JULY 23, 1849, 9 A. M.

The House met pursuant to adjournment.

The amendment to the resolution in reference to adjourning the two Houses until after harvest, was taken up.

Upon leave of the House, the amendment was withdrawn, and then the resolution was adopted.

The following message was received from the Council, to wit:

Resolved, That a committee of two be appointed by the Council, to act in conjunction with a committee from the House, to contract for the necessary printing. Adopted by the Council, July 21, 1849. Committee—Messrs. Shannon and Blain.

A bill respecting seed horses, was read the second time, and referred to the committee of the whole.

A bill respecting ferries was read the second time by its title, and referred to the committee of the whole.

A bill to locate the seat of government of Oregon Territory, was read the second time, and referred to the committee of the whole.

The House, upon motion, resolved itself into a committee of the whole, upon the bill to open and repair roads and highways.

On motion of Mr. Hill,

The committee rose, reported sundry amendments, and asked leave to sit again,

Which was granted by the House.

Mr. Walling, of Clackamas, gave notice that on to-morrow, he would introduce

A bill to regulate bowling alleys.

On motion,

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

Mr. Chapman gave notice that on to-morrow, he would introduce

A bill to provide for taking an expression of the opinion of the people, for and against the formation of a State government.

The following message was received from the Council:

Resolved, That the House be informed that the Council have filled the blank in the joint resolution on adjournment, with "Monday, the 30th instant."

On motion,

The House resolved itself into a committee of the whole, upon the bill to open and repair roads and highways.

On motion,
The committee rose, reported sundry amendments, and was discharged.
Mr. Chapman offered the following resolution:

Resolved, That the House does not concur with the Council in regard to the joint resolution to adjourn the two Houses until the 30th instant.

On motion of Mr. Hill,
The bill for opening and repairing roads and highways,
Was ordered to be engrossed.
Mr. Chapman, from the committee on the judiciary, reported,
A bill to establish county and probate courts, and to define their jurisdiction,
Which was read the first time, and passed to its second reading.
On motion,
The House adjourned until 9 1-2 o'clock, A. M., to-morrow.

JULY 24, 1849, 9 1-2 A. M.

The House met pursuant to adjournment.
The following message from the Council was read:

Resolved, That a committee of two be appointed by the Council to confer with a like number from the House, in relation to adjourning on Saturday next, to meet at some future time. Messrs. Shannon and Graves said committee.

Mr. Holman presented the petition of J. Taylor, praying for relief, which was,
On motion of Mr. King,
Referred to the committee on claims.
Mr. Chapman, from the committee on printing, reported unfavorably as to the probability of obtaining printing.
The report was adopted, and the committee discharged.
On motion,
A committee of conference was appointed by the House, to confer with the committee of the Council, in relation to the adjournment.
Messrs. King and Holmes said committee.
On motion of Mr. Matlock,
The House resolved itself into a committee of the whole upon the bill to locate the seat of government.
The committee rose, and reported the bill back to the House, without amendment,
Which was adopted.

The bill was considered engrossed, and read a third time, and the question, "Shall this bill pass?" was decided in the negative.

Mr. Hill called for the yeas and nays.

Yeas—Messrs. Burch, Chapman, Conser, Dunlap, Grim, Matlock and Smith—7.

Nays—Messrs. Hembree, Hill, Holman, Holmes, King, Kinney, Mulkey, Simmons, Walling, of Yamhill, and Speaker—10.

Walling, of Clackamas, being absent.

Mr. Chapman offered the following resolution:

Resolved, That the committee on elections be instructed to report a bill at the earliest possible day, providing for filling vacancies in the seats of either House of Assembly,

Which was adopted.

The bill to establish county and probate courts, and to define their duties,

Was read the second time, and

Referred to the committee of the whole.

A bill from the Council, entitled,

"An act to establish the names of certain counties,"

Was read the first and second times, and

Referred to the committee of the whole.

The following message from the Council was read:

Resolved, That a committee of one be appointed by the Council, to act in conjunction with a committee from the House, to examine bills, and see whether they are regularly enrolled.

Mr. Shannon, said committee.

The House resolved itself into a committee of the whole, upon the bills to "regulate ferries," and respecting "seed horses."

The bill to regulate ferries was reported back to the House without amendment,

Which was adopted.

The bill respecting seed horses was reported back to the House with the following amendments:

Section first, strike out "six" and insert "ten"—strike out "fifteen" and insert "twenty-five."

Section fourth, after county, insert "and a written notice, personally served upon the owner, if known."

The report was accepted by the House.

On motion,

The House adjourned until 3 o'clock, P. M.

NOTE.—The Journal cannot be found from this date to that of August 27th.—COM.

AUGUST 27, 1849—9 A. M.

The House met pursuant to adjournment.

Mr. Chapman, from the committee on the judiciary, to which had been referred the bill to establish county and probate courts, and to define their jurisdiction, with instructions to amend the same, reported a bill, with amendments,

Which report was adopted,

And the bill was read the first time, and

On motion,

The rules were suspended,

The bill read the second time time by its title, and

Referred to the committee of the whole.

Mr. Hembree, of the select committee to which had been referred the bill to prevent injuries to the possessions of settlers on public lands, reported the same back with amendments,

Which was read the first time,

And passed to its second reading.

The Council bill fixing the style, and declaratory of the form of writs; also

The bill prescribing the manner of authenticating the acts of the legislative assembly;

Were severally read the second time, and

Referred to the committee of the whole.

The bill to provide for holding a special term of the supreme court,

Was read the second time, and

Referred to the committee of the whole.

On motion of Mr. Walling, of Clackamas,

The House went into committee of the whole.

The committee rose, and reported that they had had under consideration the bill to provide for holding a special term of the supreme court, and for fixing the time of holding the annual session thereof, and report the same with amendments,

Which was adopted.

On motion of Mr. Consor,

The resolution of yesterday, abolishing the office of door-keeper, was reconsidered, and so amended as to require the Speaker to write out and furnish D. Bailey with a list of the duties of a door-keeper.

On motion of Mr. Chapman,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

On motion of Mr. Chapman,

The bill to provide for holding a special term of the supreme court, and to appoint the time of holding the annual session thereof,

Was taken up,

Read a third time, and passed.

The House then went into committee of the whole, upon the bill to enact and cause to be published a code of laws.

After a short session, the committee rose, reported progress, and asked leave to sit again,

Which was adopted.

The following message was received from the Council,

MR. SPEAKER: I am instructed to inform you that the Council have had under consideration the bill to provide for settling the Cayuse war claims, have made sundry amendments thereto, and passed the same as amended, and herewith send to the House, and ask your concurrence therewith.

On motion of Mr. Connor,

The House went into committee of the whole, upon the Council bill fixing the style of laws, and declaratory of the form of writs and processes of the Territory of Oregon.

The committee rose, reported the bill with amendments,

Which report was adopted.

The House then went into committee of the whole, upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion,

The House adjourned until 9 o'clock, to-morrow morning.

AUGUST 28, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Chapman, from the committee on the judiciary, reported a bill respecting wills,

Which was read a first time, and passed to its second reading.

Mr. Matlock offered the following resolution:

Resolved, That a committee, consisting of three members, be ap-

pointed by the Speaker, to enquire into the expediency of creating, by law, a pilot at the mouth of the Columbia river.

Which resolution was adopted,

And Messrs. Matlock, Holmes and Holman were appointed said committee.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill respecting seed horses, have made sundry amendments thereto, and ask your concurrence.

Mr. Consor offered the following resolution:

Resolved, The Council concurring herein, that the two Houses will meet in the hall of the House of Representatives, on Saturday next, at 10 o'clock, A. M., and proceed to the location of the seat of government, by joint vote, the points to be voted for being then and there first put in nomination, and will proceed to vote until some one of the points so put in nomination, shall receive a majority of all the votes cast, and that point so receiving a majority as aforesaid, is hereby declared the seat of government of the Territory of Oregon.

The foregoing resolution being overruled by the Speaker,

Mr. Consor appealed to the House, whereupon,

The Speaker was sustained in his decision.

On motion of Mr. Matlock,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion,

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Consor presented a bill to provide to locate the seat of government,

Which was read the first time, and passed to its second reading.

On motion of Mr. Chapman,

The House went into committee of the whole upon the bill to establish county and probate courts, and to define their jurisdiction.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill to provide for holding a special term of the supreme

court, have amended it by striking out the second section of the same, and ask your concurrence.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the accompanying bill, "A bill to locate the county seat of Champoeg county," and have passed the same, and ask your concurrence.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion of Mr. Matlock,

The House took up the bill to provide for holding a special term of the supreme court,

Which was read,

And the amendments of the Council were concurred in.

On motion of Mr. Consor,

The Council bill to locate the county seat of Champoeg county,

Was taken up,

Read the first time,

And ordered to its second reading.

On motion,

The House adjourned until 9 o'clock, to-morrow morning.

AUGUST 29, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Hill, from the committee to which had been referred the bill to locate the county seat of Tuality county, reported the same to the House, with amendments, agreeably to instructions,

Which was read the first time,

And ordered to its second reading.

Mr. Holman, of the committee on engrossed bills, reported as correctly engrossed,

The bill to provide for a special term of the supreme court.

Mr. Matlock, of the joint committee on enrolled bills, reported as correctly enrolled,

The bill to provide for holding a special term of the supreme court.

On motion of Mr. Matlock,

The committee of the whole, to which had been referred the bill to establish county and probate courts, and to define their jurisdiction,

Was discharged from the further considerations of the said bill.

The bill was then taken up, and

On motion of Mr. Matlock,
To strike out the enacting clause,
The yeas and nays were called for, and resulted as follows:

Yeas—Messrs. Hembree, Holman, Matlock, Mulkey, Walling, of Clackamas, and Walling, of Yamhill—6.

Nays—Messrs. Burch, Chapman, Consor, Dunlap, Hill, Holmes, Kinney, Smith, and Speaker—9.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the bill herewith sent, to establish an Academy in Tuality county, have passed the same, and ask your concurrence.

Mr. Matlock made a motion to strike out the words "county and" in the title of the bill to establish county and probate courts,
Which was carried.
Mr. Chapman moved to amend the bill by striking out the words "county and" wherever they occur in the bill,
Which was carried.
On Motion of Mr. Matlock,
To strike out of the bill all that relates to county court business,
The yeas and nays were taken, as follows:

Yeas—Messrs. Hill, Holman, Matlock, Mulkey, Walling of Clackamas, and Walling of Yamhill—6.

Nays—Messrs. Burch, Chapman, Consor, Dunlap, Hembree, Holmes, Kinney, Smith and Speaker—9.

Mr. Kinney asked and obtained leave to introduce a bill to enable persons to remove fences made by mistake, on the lands of other persons,
Which was read the first time,
And ordered to its second reading.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
On motion,
The bill to establish probate courts, and define their jurisdiction,
Was taken up, and read section by section.
Mr. Hill made a motion to strike out the word "members" in the first section.

The yeas and nays being called for, resulted as follows:

Yeas—Messrs. Hembree, Hill, Holman, Matlock, Mulkey, Walling of Clackamas, and Walling of Yamhill—7.

Nays—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Kinney, Smith, and Speaker—8.

On motion of Mr. Consor,
To fill the blank in the first section with "three," the vote was as follows:

Yeas—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Kinney, Smith, Walling of Clackamas, and Speaker—9.

Nays—Messrs. Hembree, Hill, Holman, Matlock, Mulkey, and Walling of Yamhill—6.

On motion of Mr. Chapman,
The bill was recommitted to the committee on the judiciary, with instructions to amend it, so as to comport with the amendments to the first section, taking into consideration the amendments proposed by Mr. Matlock.
The bill to locate the seat of government,
Was taken up, and,
On motion of Mr. Hill,
To lay it on the table seven days,
The yeas and nays were taken, as follows:

Yeas—Messrs. Hembree, Hill, Holman, Kinney, Walling of Clackamas, Walling of Yamhill, and Speaker—7.

Nays—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Matlock, Mulkey, and Smith—8.

The bill was then read the second time, considered engrossed, and ordered to its third reading.
On motion of Mr. Kinney,
The bill to prevent injuries to the possession of settlers on public lands,
Was taken up,
Read a second time, and
Referred to the committee of the whole.
On motion of Mr. Chapman,
The House went into committee of the whole on said bill.
The committee rose, reported the bill back to the House with amendments,
Which report was adopted.

A message from the Council:

MR. SPEAKER: The Council have had under consideration a bill to establish a system of common schools, have passed the same, and herewith send it to the House for your concurrence.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill to divorce Samuel F. Staggs from his wife Mary Ann, and have indefinitely postponed the same.

On motion of Mr. Matlock,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion,

The House adjourned until 9 o'clock to-morrow morning.

AUGUST 30, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Chapman, from the committee on the judiciary, reported a bill to provide for the election of prosecuting attorneys.

Mr. Chapman, from said committee, to which had been referred the bill to establish probate courts and define their jurisdiction,

Reported the same with amendments, agreeably to instructions, and recommended the passage of the same.

Mr. Chapman, of the joint committee on printing, reported in writing, accompanied by a bill to establish the price of public printing.

Which was read the first time, and

Ordered to its second reading.

The bill to provide for the election of prosecuting attorneys,

Was read the first time, and

Ordered to its second reading.

Mr. Hill, from the conference committee, to change the name of Tuality county, reported to the House,

Which was adopted.

On motion of Mr. Hill,

The bill to locate the county seat of Tuality county,

Was taken up,

And read a second time, and

On motion,
The rules were suspended, and
The bill was read a third time, and passed.

Mr. Matlock's amendments to the bill to establish probate courts and define their jurisdiction, which had been adopted in committee of the whole,
Were taken up, and rejected.
On motion of Mr. Chapman,
The bill was considered engrossed,
Read the third time, and
The question on its final passage, was decided as follows:

Yeas—Messrs. Burch, Chapman, Consor, Holmes, Kinney, Smith and Speaker—7.

Nays—Messrs. Hembree, Hill, Holman, Matlock, Mulkey, Walling of Clackamas, and Walling of Yamhill—7.

Absent—Dunlap.
On motion,
The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
Messages from the Council:

MR. SPEAKER: The council have accepted the report of the corresponding committee of the two Houses, to change the names of Tualatin, Vancouver, and Champoeg counties, and ask your concurrence.

MR. SPEAKER: The Council do not concur in the amendments made by the House, in the Council bill, fixing the style of the laws, and declaratory of the forms of writs and processes of the territory of Oregon, and have appointed a committee of two to act with a like committee on the part of the House, to confer and report.

Messrs. Blain and Ford committee.
Mr. Chapman asked that the committee of the judiciary might be discharged, and a new committee appointed by the Speaker.
The committee was discharged.
On motion of Mr. Consor,
The bill to locate the seat of government,
Was taken up, and
Read the third time, and

On its final passage, the yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Matlock, Mulkey, and Smith—8.

Nays—Messrs. Hembree, Hill, Holman, Kinney, Walling of Clackamas, Walling, of Yamhill, and Speaker—7.

On motion of Mr. Matlock,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

The Speaker then announced the following gentlemen as a new committee on the judiciary:

Messrs. Matlock, Hill, Holman and Holmes.

On motion,

The House adjourned until 9 o'clock, A. M.

AUGUST 31, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Matlock asked leave to be excused from serving on the committee of the judiciary.

The House refused to excuse.

The bill to prevent injuries to the possession of settlers on public lands,

Was taken up, and

The amendments made in committee of the whole,

Were adopted,

And the bill was ordered to be engrossed.

The bill to provide for settling the Cayuse war claims,

Was taken up, and

The amendments of the Council were concurred in.

On motion,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Consor gave notice that on to-morrow, or some other time, he might introduce a bill to locate the seat of government at the mouth of the Calapooya river, in Linn county.

Mr. Matlock asked leave of absence for Mr. Kinney until Monday next,

Which was granted.

On motion of Mr. Matlock,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

The following messages were received from the Council:

MR. SPEAKER: The Council have had under consideration an act to establish the county seat of Polk county, have passed the same, and ask your concurrence.

MR. SPEAKER: The Council have had under consideration the bill to define the jurisdiction of the supreme and district courts, have made sundry amendments, and herewith send to the House for your concurrence.

On motion of Mr. Chapman,

The bill to establish the price of public printing,

Was taken up,

Read the second time by its title, and

On motion,

The rules were suspended,

The bill read the third time, and passed.

Mr. Holman asked leave of absence for Mr. Walling, of Yamhill, till Monday evening next,

Which was granted.

On motion,

The House adjourned until 9 o'clock, A. M.

SEPTEMBER 1, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Burch, from the committee on roads and highways, reported

back to the House, the bill to provide for building bridges, with amendments.

Mr. Holman, from the committee on engrossed bills, reported as correctly engrossed, the bill to prevent injuries to the possession of settlers on public lands,

Which was read the third time, and passed.

Mr. William Shaw, member elect from Champoeg county, presented his credentials of election, was sworn into office by the Speaker, and took his seat.

On motion of Mr. Walling, of Clackamas,

The House went into committee of the whole upon the bill to enact and cause to be published a code of laws.

The committee rose, reported progress, and asked leave to sit again,

Which was adopted.

The following message from the Council was read:

MR. SPEAKER: The Council have had under consideration the following named and accompanying bills, to-wit: A bill to change the name of Tualatin county, and the House bill to locate the county seat of Tuality county, have passed the same, and ask your concurrence.

Mr. Chapman offered the following resolution:

Resolved, That the bill for collecting and disbursing the revenue, be referred to the committee of ways and means, with instructions to report the following amendments:

1st, Making the Sheriff collector,

2d, Repealing redemption of the sale for tax,

3d, Providing for imposing a tax on venders of merchandise on board of vessels.

On motion,

The House adjourned until 9 o'clock, A. M., on Monday.

SEPTEMBER 3, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Matlock, from the select committee to whom had been referred the resolution in reference to the expediency of creating the office of pilot, at the mouth of the Columbia river,

Reported by resolution, as follows:

Resolved, That there be created by law, the office of pilot for the mouth of the Columbia river, and that some suitable person be selected by the Legislature, to fill said office.

The committee asked to be discharged from the further consideration of the subject.

The report was adopted, and

Committee discharged.

Mr. Hill offered the following resolution:

Resolved, The Council concurring herein, that the joint rules of the two Houses, and the Governor's message be handed to George Abernethy, on to-morrow, and that he be requested to print for the use of the two Houses, one hundred copies of the joint rules, and one thousand copies of the governor's message.

Mr. Hill offered the following resolution:

Resolved, That a committee of three be appointed to procure and bring to the House, all the archives of the secretary's office, of the provisional government of Oregon.

Committee—Hill, Chapman and Holman.

Mr. Chapman presented a bill giving concurrent jurisdiction to the district courts over water courses forming a boundary between judicial districts.

Read the first time, and

The rules were suspended, and

The bill was read the second time, and

Ordered to be engrossed.

On motion of Mr. Chapman,

The committee of the whole was discharged from the consideration of the bill to enact and cause to be published a code of laws.

On motion of Mr. Chapman,

So much of said bill as relates to revenue, be referred to the committee of ways and means.

On motion of Mr. Chapman,

The said bill was recommitted to the committee of the whole.

On motion,

The House resolved itself into a committee of the whole, upon the bill to enact and cause to be published a code of laws.

The committee rose, reported sundry amendments, and asked leave to sit again,

Which was adopted.

The following message from the Council was received:

Mr. SPEAKER: The Council have had under consideration the House resolution to provide for printing one hundred copies of the joint rules of both House, and one thousand copies of the governor's message; and have amended it by striking out one hundred copies of the joint rules of both Houses, and inserting fifty copies of the rules of each House, and fifty copies of the joint rules, and ask your concurrence.

The House concurred in the amendments of the Council.

A message from the Council:

Mr. SPEAKER: The Council have had under consideration the following named bills, viz:

No. 26. A bill to establish a probate court, and define its duties and powers.

No. 27. A bill to provide against dangerous and vicious cattle.

No. 31. An act to change the name of Champoeg county.

No. 29. A bill concerning oaths and affirmations.

No. 33. An act to authorize probate courts to transact county business, have passed the same, and herewith send to the House, and ask your concurrence.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Consor offered the following resolution:

Resolved, That a committee of three be appointed to draw up the rules for the government of this House, and have the same ready for printing by the 5th instant,

Which was adopted.

Committee—Messrs. Consor, Chapman and Matlock.

Mr. Holman, from the committee on engrossed bills, reported as correctly engrossed, the bill giving concurrent jurisdiction to the district courts over water courses forming boundaries between judicial districts.

On motion of Mr. Hill,

The House resolved itself into committee of the whole, upon the bill to open roads and highways.

The committee rose, and reported the bill back to the House,

Which report was adopted.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the accompanying bill to establish a Female Academy in Clackamas county, have passed the same, and ask your concurrence.

On motion,

So much of the bill to enact and cause to be published a code of laws, as relates to the organization of the militia, was stricken out.

The said bill was read a second time, and

Ordered to be engrossed.

On motion,
The rules were suspended, and
The bill giving concurrent jurisdistion to the district courts over water courses, forming boundaries between judicial districts,
Was taken up,
Read the third time and passed.
The bill respecting seed horses,
Was taken up, and
The amendments of the Council were not concurred in.
The bill to define the jurisdiction of the supreme and district courts,
Was taken up, and
The amendments of the Council were concurred in.
The bill to locate the seat of justice of Champoeg county,
Was read the second time, considered engrossed, and
Ordered to its third reading.
The bill to enable persons to remove fences, made by mistake upon the lands of others,
Was considered engrossed, and
The rules were suspended,
The bill read a third time, and passed.
A bill providing for the election of prosecution attorneys,
Was read a second time, considered engrossed, and
The rules were suspended,
The bill read the third time, and passed.
On motion of Mr. Chapman,
The bill to authorize and empower the probate court to transact county business, and the bill to establish a probate court, and define its duties and powers,
Were referred to a select committee, consisting of Messrs. Chapman, Holman and Consor.
The bill to change the name of Champoeg county,
Was read the first time, and
Ordered to its second reading.
The Council bill to establish an academy in Tualaty county,
Was read the first time, and
Ordered to its second reading.
The Council bill to locate the seat of justice of Polk county,
Was read the first time, and
Ordered to its second reading.
The Council bill to establish a female seminary in Clackamas county,
Was taken up,
Read the first time, and
Ordered to its second reading.
The council bill to provide against dangerous and vicious cattle,
Was read the first time, and
Ordered to its second reading.
The Council bill concerning oaths and affirmations,

Was read the first time, and
Ordered to its second reading.
On motion,
The House adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 4, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Hembree presented the petition of David Crawford, praying for relief,

Which was referred to the standing committee on claims.

Mr. Chapman, from the select committee to which had been referred the Council bill to establish a probate court and define its duties and powers, and

The bill to authorize and empower probate courts to transact county business,

Reported the same back to the House, and asked to be discharged,

Which was adopted.

Mr. Matlock offered the following resolution:

Resolved, The Council concurring herein, that the two Houses of the Legislative Assembly adjourn on Saturday, the fifteenth day of September, *sine die*, which,

On motion,
Was laid on the table.

The Council informed the House of the passage of a bill, by the Council, to change the name of Vancouver county.

On motion of Mr. Hill,

The vote of yesterday on the bill to provide for the election of prosecuting attorneys,

Was reconsidered by the following vote, (the yeas and nays being called for):

Yeas—Messrs. Burch, Hembree, Hill, Holmes, Matlock, Shaw, Walling of Clackamas, and Speaker—8.

Nays—Messrs. Chapman, Consor, Dunlap, Holman, Mulkey, and Smith—6.

On motion,
The bill was recommitted to the committee of the whole.

Mr. Holman presented a bill, declaring Clackamas river navigable, which

Was read the first time, and
Ordered to its second reading.

The Council bill concerning oaths and affirmations,
Was read the second time,
And considered engrossed.
The Council bill to establish a female seminary in Clackamas county,
Was read the second time, and
Referred to the committee of the whole.
The Council bill to establish an academy in Tuality county,
Was read the second time, and
Referred to the committee of the whole.
The Council bill to locate the seat of justice in Polk county,
Was read the second time, and
Considered engrossed.
The Council bill to provide against dangerous and vicious cattle,
Was read the second time, and
Considered engrossed,
The Council bill to change the name of Champoeg county,
Was read the second time, and
Considered engrossed.
The Council bill to establish a system of common schools,
Was read the first time, and
Ordered to its second reading.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
The Council bill to establish a probate court,
Was read the first time, and
Ordered to its second reading.
The Council bill to authorize probate courts to transact county business,
Was read the first time, and
Ordered to its second reading.
The Council bill to locate the seat of justice of Champoeg county,
Was read the third time, and passed.
The House went into committee of the whole upon sundry bills referred to said committee.
The committee rose, reported sundry amendments, and asked leave to sit again,
Which report was adopted.
On motion,
The House adjourned until 9 o'clock, A. M.

SEPTEMBER 5, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Matlock, from the committee on the judiciary, presented a bill to provide the mode of contesting the validity of wills.

The Council informed the House of the passage, by the Council, of a bill on promissory notes, &c.,

Mr. Holman, from the committee on engrossed bills, reported as correctly engrossed,

The bill to enact and cause to be published a code of laws.

On motion,

The said bill was read the third time, and

Passed by a unanimous vote of all the members present, none being absent except Mr. King.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

On motion,

The bill to establish a system of common schools,

Was read the second time, and

Referred to the committee of the whole.

On motion,

The House went into committee of the whole upon said bill.

The committee rose, and reported the bill to the House, with sundry amendments,

Which report was adopted.

A message from the Council.

MR. SPEAKER: The Council have had under consideration the House bill to prevent injuries to the possession of settlers on public land, have made sundry amendments, and herewith send for your concurrence.

The House refused to concur with the Council in the amendment to said bill; and appointed a committee of conference, consisting of Messrs. Kinney, Chapman and Consor.

The bill to establish a probate court,

Was taken up,

Read the second time, and

Considered engrossed.

The rules were suspended, and

The bill was read the third time,

And passed by the following vote, the yeas and nays being called.

Yeas—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Kinney, Shaw, Smith, and Speaker—9.

Nays—Messrs. Hembree, Hill, Holman, Matlock, Mulkey, Walling of Clackamas, and Walling of Yamhill—7.

The bill to authorize and empower the probate court to transact county business,
Was taken up,
Read the second time, and
Considered engrossed.
The rules were suspended, and
The bill read the third time,
And passed by the following vote, the yeas and nays being called:

Yeas—Messrs. Burch, Chapman, Consor, Dunlap, Holmes, Kinney, Shaw, Smith, Walling of Clackamas, and Speaker—10.

Nays—Messrs. Hembree, Hill, Holman, Matlock, Mulkey, and Walling, of Yamhill—6.

The bill to change the name of Vancouver county to Clark,
Was read a second time, and
Considered engrossed.
The rules were suspended, and
The bill was read a third time, and passed.
The bill declaring Clackamas river navigable, was
Read a second time, and
Referred to the committee of the whole.
The bill respecting oaths and affirmations, was
Read the third time, and
Ordered to lay upon the table.
The bill to change the name of Champoeg county, was
Read the third time, and passed.
The bill to locate the seat of justice of Polk county, was
Read the third time, and passed.
The bill to provide against dangerous and vicious cattle, was
Read the third time, and passed.
The yeas and nays being called for, resulted as follows:

Yeas—Messrs. Chapman, Consor, Holman, Holmes, Matlock, Shaw, Smith, and Walling of Clackamas—8.

Nays—Messrs. Dunlap, Hembree, Hill, Kinney, Mulkey, Walling of Yamhill, and Speaker—7.

The bill respecting wills, was
Read the second time, and

The bill was considered engrossed.

On motion,

The House went into committee of the whole upon the bill to establish a female seminary in Clackamas county, and

The bill to establish an academy in Washington county.

The committee rose, reported the bill back to the House with amendments,

Which report was adopted.

Mr. Hill offered the following resolution:

Resolved, The Council concurring herein, that one thousand copies of the memorial to the Congress of the United States, be printed forthwith, for the use of both Houses.

The House refused to adopt the foregoing resolution.

On motion,

The House adjourned until 9 o'clock, to-morrow morning.

SEPTEMBER 6, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Dunlap, from the committee on claims, to whom had been referred the petition of James Taylor, praying for relief,

Reported by bill.

Mr. Hembree, from the committee on ways and means, reported a bill to provide for assessing and collecting county and territorial revenue,

Which was read the first time,

And ordered to its second reading.

Mr. Matlock, from the joint committee on enrolled bills, reported as correctly enrolled,

The bill to locate the seat of justice of Champoeg county; also,

The bill to organize the supreme and district courts.

A message from the Council:

MR. SPEAKER: The Council have had under consideration a bill concerning forcible entry and detainer, have passed the same, and send it herewith for your concurrence;

Also, an enrolling bill to locate the county seat of Champoeg county, and send it herewith for your signature.

The Speaker signed the bill to locate the county seat of Champoeg county.

Mr. Hembree asked leave of absence until Monday morning next,

Which was granted.

Mr. Holmes asked leave of absence until Monday morning next,
Which was granted.

Mr. Consor, from the select committee appointed to draw off the rules for the government of the action of this House, reported the same.

The report was accepted.

On motion of Mr. Chapman,

The vote of yesterday upon Mr. Hill's resolution to have printed for the use of the two Houses, one thousand copies of the memorial to the Congress of the United States,

Was reconsidered, and

The resolution was adopted.

Mr. Walling of Clackamas, offered the following resolution:

Resolved, That a select committee of three be appointed by the Speaker, to act with a like number to be appointed by the Council, to enquire into the practicability of making ship navigation on the Willamette river, commencing at the foot of the Clackamas rapids, up to the falls of said river, and if found practicable, to report the form or manner which, in their opinion, will best serve the interests of this territory.

Which resolution was adopted.

And Messrs. Walling, of Clackamas, Matlock and Consor were appointed said committee on the part of the House.

Mr. Chapman offered the following resolution:

Resolved, That the committee on rules be instructed to add to the rules of this House, a provision for a standing committee on commerce, and that such committee be now appointed by the Speaker.

Which resolution was adopted.

And Messrs. Chapman, Smith and Burch were appointed said committee.

On motion,

The House adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

A message from the Council:

MR. SPEAKER: The Council have appointed Messrs. Buck, Ford and McKean, a committee of conference to act with the committee of the House on the bill to prevent injuries to settlers on public lands.

Mr. Shaw offered the following resolution:

Resolved, The Council concurring herein, that the two Houses will meet in joint convention in the hall of the House of Representa-

tives, on Wednesday next, at 11 o'clock, A. M., and by ballot, elect a commissioner on the Cayuse war claims.

Which resolution was adopted.

The bill to establish an academy in Washington county, was Read a third time, and passed, with certain amendments.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill giving concurrent jurisdiction to the district courts over water courses forming a boundary between judicial districts; also,

An act authorizing the location of a territorial road from Oxford, in Champoeg county, on the Willamette river, to Spores', in Linn county, have passed the same, and herewith send to the House for your concurrence.

The bill to establish a female seminary in Clackamas county, Was read the third time and passed.

The Council bill to locate a territorial road from Oxford, in Champoeg county, to Spores' in Linn county, was

Read the first time,

And ordered to its second reading.

An act relating to wills, was

Read the third time, and passed.

The bill providing the mode of contesting the validity of wills, Was read the second time, and

Referred to the committee of the whole.

The bill for the relief of James Taylor,

Was read the first time, and

On motion of Mr. Kinney,

To reject the bill, the House refused to reject, and the bill was Ordered to its second reading.

The bill to prevent negroes and mulattoes from coming to, or settling in Oregon, was

Read the second time, and

Referred to the committee of the whole.

The House went into committee of the whole upon sundry bills.

The committee rose, and reported the same back to the House, with sundry amendments.

The Council bill prescribing the manner of authenticating the acts of the legislative assembly of the territory of Oregon, was

Read the third time, and

Laid upon the table.

The bill to provide for the election of prosecuting attorneys, Was read and referred to the standing committee on the judiciary.

On motion,

The House adjourned until 9 o'clock to-morrow morning.

SEPTEMBER 7, 1849, 9 A. M.

The House met pursuant to adjournment.
A message from the Council:

MR. SPEAKER: The Council concur with the House in their resolution to meet in the hall of the House of Representative, on Wednesday next, at 11 o'clock, A. M., to elect by ballot, a commissioner on Cayuse war claims.

Also,

MR. SPEAKER: The Council have had under consideration the resolution of the House, to appoint a select committee of three from both Houses, to inquire into the practicability of making ship navigation on the Willamette river, from the Clackamas rapids to the falls of said river, do concur with the House, and have appointed Messrs. Maly, Shannon and Blain said committee.

Mr. Holman presented a bill fixing the heraldry of the Territory of Oregon,
Which was read the first time, and
Ordered to its second reading.
A bill authorizing the location of a territorial road from Oxford, in Champoeg county, to Spores', in Linn county,
Was read the second time, and
Considered engrossed,
The bill for the relief of J. Taylor,
Was read the second time, and
Referred to the committee of the whole.
Mr. Chapman presented the bill to license and tax merchants,
Was read the first time, and
Ordered to its second reading.
A message from the Council:

MR. SPEAKER: The Council do not concur with the House in their resolution to have one thousand copies of the memorial to the Congress of the United States, printed.

Mr. Matlock asked that the committee of the judiciary, which the Speaker had appointed on the 30th ultimo, might be discharged, and the former committee reinstated,
Which was done, and
Mr. Shaw was added to the committee in Mr. Grim's stead.
Mr. Chapman, from the committee on the judiciary, reported a bill for act respecting executors and administrators,
Was read the first time, and
Ordered to its second reading.

On motion of Mr. Consor,
The resolution to adjourn the two Houses, *sine die*, on the 15th instant,
Was taken up, and
The question of adjournment was decided in the negative,
The yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Chapman, Consor, Matlock, Shaw and Smith—6.

Nays—Messrs. Dunlap, Hill Holman, Kinney, Mulkey, Walling of Clackamas, Walling of Yamhill, and Speaker—8.

Mr. Hill made a motion to adjourn until 9 1-2 o'clock, Monday morning next.
The yeas and nays were taken, as follows:

Yeas—Messrs. Chapman, Dunlap, Hill, Holman, Kinney, Mulkey, Smith, Walling, of Clackamas, and Speaker—9.

Nays—Messrs. Burch, Consor, Matlock, Shaw, and Walling, of Yamhill—5.

SEPTEMBER 10, 1849, 9 1-2 A. M.

The House met pursuant to adjournment.
Mr. Consor presented the petition of citizens of Linn county, praying for the establishment of the southern boundary of said county,
Which was read, and
Referred to a select committee of three.
Committee—Messrs. Consor, Walling, of Clackamas, and Kinney.
Mr. Matlock presented the petition of Catherine Cooper, praying for a divorce from her husband,
Which was read, and
Referred to a select committee of three.
Committee—Messrs. Matlock, Dunlap and Shaw.
Mr. Holman, from the standing committee on engrossed bills, reported as correctly engrossed,
A bill to provide for the destruction of certain wild animals therein mentioned.
Also,
A bill authorizing the location of a territorial road from Oxford, in Champoeg county, to Spores', in Linn county.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
A bill fixing the heraldry of the territory of Oregon,
Was read the second time, and
Laid upon the table.
A bill to tax merchants,
Read the second time, and
Referred to the committee of the whole.
The bill to provide for the destruction of certain wild animals,
Was read the third time, and passed.
An act authorizing the location of a territorial road from Oxford, in Champoeg county, to Spores', in Linn county,
Was read the third time, and
Recommitted to the committee of the whole.
On motion of Mr. Dunlap,
The House went into committee of the whole upon sundry bills referred to said committee.
The committee rose, and reported back to the House, a bill declaring Clackamas river navigable,,
And a bill to license and tax merchants, with sundry amendments.
A message from the Council:

MR. SPEAKER: Herewith are sent for your signature the following bills:
An act to change the name of Vancouver county.
An act to establish the seat of justice of Polk county,
An act to establish a probate court, &c.
The bill to provide against dangerous cattle.
An act to change the name of Champoeg county.
An act to authorize the probate court to perform county business; also,
The Council have had under consideration a bill to declare the qualifications of voters of Oregon Territory; also,
An act establishing and regulating the office of sheriff, have passed the same, and send herewith for your concurrence.

On motion,
The House adjourned until 9 o'clock, A. M.

SEPTEMBER 11, 1849, 9 A. M.

The House met pursuant to adjournment.
The roll was called, and the following named members were present:

Messrs. Burch, Connor, Hembree, Hill, Holman, Holmes, Matlock,

Mulkey, Shaw, Walling of Clackamas, Walling of Yamhill and Speaker—12.

Bills of the following titles were signed by the Speaker:
An act to establish the seat of justice in Polk county,
An act to establish a probate court, and define its duties and powers,
An act to provide against dangerous and vicious cattle,
An act to change the name of Champoeg county,
An act to change the name of Vancouver county,
An act to authorize and empower the probate court to transact county business.
The Council bill establishing the office of sheriff,
Was read the first time, and
Ordered to its second reading.
The Council bill declaring the qualification of voters in the territory of Oregon,
Was read the first time, and
Ordered to its second reading.
The bill declaring Clackamas river navigable,
Was read a second time, and
Ordered to be engrossed.
The bill to fix the heraldry of the territory of Oregon,
Was read the second time, and
Laid upon the table.
A message from the Council.

MR. SPEAKER: Herewith is sent for your signature,
An act to establish a female seminary in Clackamas county.

The Speaker signed the said bill.
The House went into committee of the whole upon the bill providing for assessing and collecting the revenue.
The committee rose, reported progress, and asked leave to sit again,
Which was adopted.
A message from the Council:

MR. SPEAKER: The Council have had under consideration an act for establishing a pilotage on the Columbia and Willamette rivers, passed the same, and herewith send for your concurrence.

On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Matlock, from the select committee to whom was referred the petition of Catharine Cooper, praying for a divorce from her husband, reported by bill to divorce said Catharine Cooper.

Read the first time, and
Rejected.

Mr. Walling of Clackamas presented a bill for an act to locate the seat of justice of Clackamas county,
Which was read the first time,
And ordered to its second reading.

The Council bill for establishing a pilotage on the Columbia and Willamette rivers,
Was read the first time, and
Ordered to its second reading.

On motion,
The House went into committee of the whole upon the revenue bill.

The committee rose, and reported the same back to the House, with sundry amendments,
Which report was adopted.

Mr. Kinney offered the following resolution:

Resolved, That the secretary of the territory is the proper authority to contract for the printing of all laws passed by the legislative assembly.

On motion of Mr. Hill,
The resolution was laid upon the table.

The Speaker signed the bill entitled,
An act to locate the county seat of Washington county.

The following message from the Council was received:

Mr. SPEAKER: The Council have had under consideration the House bill to provide for the destruction of certain wild animals therein mentioned, and have indefinitely postponed the same.

On motion,
The House adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 12, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Kinney, from the conference committee, on the bill to provide against injuries to the possession of settlers on public lands,
Reported a new bill, with the same title,
Which was read, and
The report adopted.

Mr. Consor, from the committee to which had been referred the petition of citizens of Linn county, praying for the establishment of the southern boundary of said county,

Reported by bill, entitled
A bill to establish the south line of Linn county, which
Was read the first time, and
Ordered to its second reading.
Mr. Consor offered the following resolution:

Resolved, That the next session of the legislative assembly shall be held at Oregon City, and until otherwise provided by law.

Resolution laid upon the table.
The revenue bill was taken up, and
The question upon the adoption of the amendment proposed in committee of the whole, to limit the county authority, so as in no case to exceed four mills on the dollar, in levying taxes for county and territorial purposes,
Was decided affirmatively.
The yeas and nays being called, as follows:

Yeas—Messrs. Burch, Consor, Hill, Kinney, Mulkey, Shaw, and Speaker—7.

Nays—Messrs. Chapman, Dunlap, Hembree, Holmes, Matlock, and Walling of Clackamas—6.

Absent—Messrs. Holman and Walling of Yamhill, King (sick), Smith (sick).

The other amendments made in committee of the whole, were also adopted, and
On motion,
The bill was considered engrossed for a third reading.
Mr. Hill asked leave of absence, for a few days, for the sergeant-at-arms,
Which was granted.
Mr. Matlock, from the joint committee on enrolled bills,
Reported as correctly enrolled,
An act giving concurrent jurisdiction to district courts, over water courses.
The House having notified the Council that it was near the time appointed to go into an election for commissioner to settle Cayuse war claims,
Received the following message from the Council:

MR. SPEAKER: I am instructed to say to you, that the Council will repair to the legislative hall within twenty minutes from this.

The following message was received from the Council:

MR. SPEAKER: The Council do not concur with the House amendments to the Council bill, to establish an academy in Tuality county,

and ask for a committee of conference to be appointed by the House, to act with a committee to be appointed by the Council, on the bill.

Messrs. Blain and Buck, committee on part of the Council.

The Council repaired to the representative hall, whereupon the president of the Council took the chair, and the two Houses proceeded, in joint convention, to the election of a commissioner to settle Cayuse war claims.

Upon balloting for nominees,

A. A. Skinner received twelve votes, and

C. M. Walker received ten votes,

Whereupon,

The convention proceeded to ballot for commissioner, when upon the first ballotting, it appeared that

A. A. Skinner received fourteen votes, and

C. M. Walker received eight votes.

A. A. Skinner having received a majority of all the votes cast,

Was declared by the president, duly elected.

On motion of Mr. Lovejoy,

The convention dissolved.

The House was then called to order by the Speaker, and

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

A message from the Governor,

Was read, and

Referred to the committee of the judiciary.

On motion of Mr. Consor,

That the House recede from its amendments to the Council bill to establish an academy in Tuality county, and

Upon said motion,

The yeas and nays were called for, and resulted as follows:

Yeas—Messrs. Consor and Walling of Clackamas—2.

Nays—Messrs. Burch, Chapman, Dunlap, Hembree, Hill, Holmes, Kinney, Matlock, Mulkey, Shaw and Speaker—11.

Absent—Holman and Walling of Yamhill, King (sick), Smith (sick.)

On motion,

A committee of conference was appointed, consisting of Messrs. Matlock, Hill and Kinney.

On motion,

The revenue bill was taken up, and the blanks filled.

A bill to attach Lewis county to the first judicial district,
Was received from the Council,
Which was read the first time, and
The rules were suspended, and
The bill was read the second time, and
Referred to the committee of the whole.

On motion of Mr. Chapman,

The committee of the judiciary, to which had been referred the message of the Governor, was discharged from the consideration of the subject, and the message was referred to the committee of the whole.

On motion of Mr. Hill,

The House went into committee of the whole upon said bill and message.

The committee rose, and reported the bill back to the House with amendments,

Which report was adopted.

On motion,

The bill was laid upon the table.

On motion of Mr. Chapman,

The revenue bill was referred to the committee of ways and means.

Mr. Shaw, from the committee on the judiciary, to whom had been referred the bill to provide for the election of prosecuting attorneys, with instructions,

Reported the same, with the required amendments.

On motion,

The House adjourned until 9 o'clock, A. M.

SEPTEMBER 13, 1849, 9 A. M.

The House met pursuant to adjournment.

The roll was called, and the following members answered to their names:

Messrs. Burch, Chapman, Consor, Dunlap, Hembree, Holmes, Matlock, Mulkey, Shaw, Walling of Yamhill, and Speaker.

Absent—Messrs. Hill, Kinney, Walling of Clackamas, Holman (sick), King (sick), and Smith (sick).

Mr. Hembree, from the committee on ways and means, to whom had been referred the revenue bill,

Reported the same back to the House, and recommended it to be referred to the committee of the whole.

The report was adopted.

Mr. Matlock, from the committee of conference, on the bill to establish the Tualitan academy,

Reported that the Council concurred with all the House amendments to said bill, except two; to wit:

1st. To strike out the name of J. Q. Thornton, and insert the name of Elkanah Walker in its place;

2nd. To strike out Tualitan and insert Washington in its place; and recommend the House to recede from said objectionable amendments.

The above report was accompanied with a memorial from Harvey Clark, and others,

Which was read, and laid upon the table.

On motion that the House recede from the amendments mentioned in the above report,

The question was decided affirmatively, as follows:

The yeas and nays having been called for:

Yeas—Messrs. Consor, Dunlap, Hill, Kinney, Matlock, Mulkey, and Walling, of Yamhill—7.

Nays—Messrs. Burch, Chapman, Hembree, Holmes, Shaw, and Speaker—6.

On motion of Mr. Chapman,

The bill to attach Lewis county to the first judicial district,

Was taken up, read a second time, and sundry amendments made to the bill, when

It was ordered to be engrossed.

Mr. Consor asked leave of absence for Mr. Walling, of Clackamas.

Leave was granted.

Mr. Matlock introduced a bill regulating the manner of obtaining license to sell spirituous liquors,

Which was read the first time, and ordered to its second reading.

The bill to establish the south line of Linn county,

Was read the second time, and referred to the committee of the whole.

The bill to declare the qualification of voters,

Was read the second time, and referred to the committee of the whole.

The bill establishing a pilotage on the Columbia and Willamette rivers,

Was read the second time, and referred to the committee of the whole.

The bill respecting executors and administrators,

Was read a second time, considered engrossed, the rules suspended,

The bill read the third time, and passed.

Mr. Burch presented a bill to provide for building bridges,

Which was read the first time, and ordered to its second reading.

On motion,

The rules were suspended,

Was read the second time, amended, and
Ordered to be engrossed.
On motion,
The House adjourned untill 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
On motion of Mr. Hembree,
The House went into committee of the whole upon the revenue bill.
The committee rose, and reported the bill to the House, with sundry amendments,
Which report was accepted.
The amendments were adopted by the House.
Mr. Hill offered the following resolution:

Resolved, The Council concurring, that the recess taken by the members of the two Houses of the legislative assembly, from the 28th day of July last, up to the 20th day of August last, be enumerated in this session of the legislature, and the members and officers of the two Houses, be entitled to draw pay for their per diem services at their established rates.

On motion,
The House adjourned until 9 o'clock, A. M.

SEPTEMBER 14, 1849, 9 A. M.

The House met pursuant to adjournment.
Mr. Dunlap presented the petition of S. White and sixty-five other citizens of Linn county, praying for the establishment of the south line of said county,
Which was referred to the committee of the whole.
The resolution offered on yesterday, by Mr. Hill, in reference to the pay of the members and officers of the two Houses, during the recess of the same,
Was taken up, and,
The question of its adoption was decided affirmatively.
The yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Chapman, Consor, Dunlap, Hill, Holmes, King, Kinney, Matlock, Mulkey, Shaw, Walling of Yamhill, and Speaker—13.

Nays—Mr. Hembree—1.

Absent—Messrs. Walling of Clackamas, Holman (sick), and Smith (sick).

On motion of Mr. Hill,
The vote of yesterday on the report of the conference committee, on the bill to establish the Tuality academy,
Was reconsidered.
On the question of reconsideration,
The yeas and nays being called for, resulted as follows:

Yeas—Messrs. Burch, Chapman, Dunlap, Hembree, Hill, Holmes, King, Mulkey, Shaw and Speaker—10.

Nays—Messrs. Consor, Kinney, Matlock, and Walling of Yamhill—4.

Absent—Messrs. Walling of Clackamas, Holman and Smith (sick).

The bill to regulate the manner of obtaining license to sell spirituous liquors,
Was taken up,
Read the second time, and
Referred to the committee of the whole.
The members of the standing committee on engrossed bills being sick, the Speaker appointed a committee on engrossed bills, *pro tem.*
Committee—Messrs. Chapman, Consor and Shaw.
On motion of Mr. Chapman,
The House resolved itself into a committee of the whole, upon the bill to establish a system of common schools, and a bill to regulate the mode of obtaining license to sell spirituous liquors.
The committee rose, reported the school bill back to the House, with sundry amendments,
Which report was adopted by the House, and the amendments accepted.
The committee of the whole reported progress on the bill to regulate the manner of obtaining license to sell spirituous liquors, and asked leave to sit again,
Which was adopted.
The bill to establish a system of common schools, was
Read the third time, and passed as amended.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
Mr. Chapman, from the committee on engrossed bills, reported as correctly engrossed, the following bills:

A bill declaring Clackamas river navigable, and
A bill to provide for the election of prosecuting attorney.
The bill to attach Lewis county to the first judicial district, was
Read the third time and passed.
The bill declaring Clackamas river navigable, was
Read the third time, and passed.
The bill to provide for the election of prosecuting attorney,
Was read a third time, and passed.

Mr. Walling, of Clackamas, presented the petition of Pleasant Young, and other citizens of Clackamas county, praying for the name of said county to be changed to Jefferson,

Which was read and referred to a select committee of three.

Committee—Messrs. Hill, Walling, of Clackamas, and Hembree.

A message from the Council:

MR. SPEAKER: The Council adhere to the House amendments to the bill to establish a system of common schools.

The House went into committee of the whole upon the bill to establish a pilotage on the Columbia and Willamette rivers, and the bill regulating the manner of obtaining license to sell spirituous liquors.

The committee rose, reported the bill back to the House, and recommended that the bill on pilotage be referred to a select committee of three, and that the license bill be referred back to the committee that reported it, with instructions to amend it so as to leave the granting of grocery license to the people of their respective counties, to be decided by vote at the general election.

Report adopted by the House.

The bill on pilotage was referred to a committee, consisting of Messrs. King, Chapman and Dunlap.

A message from the Council:

MR. SPEAKER: The Council have adopted the House resolution, in regard to the recess from the 28th of July up to the 20th of August last, and the pay of the members and officers of the legislative assembly.

Mr. Chapman offered the following resolution:

Resolved, That the committee on education, be instructed to report a bill for a general law incorporating literary institutions.

On motion,

The House adjourned until 9 o'clock, to-morrow morning.

SEPTEMBER 15, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. King, from the committee to which had been referred the bill to establish a pilotage on the Columbia and Willamette rivers, reported the bill back to the House, with sundry amendments,

Which report was accepted by the House, and the amendments adopted.

The bill was read the third time, and passed.

A message from the Council:

MR, SPEAKER: The Council have had under consideration the accompanying bill, directing the mode of proceeding in chancery, have passed the same, and ask your concurrence.

Also, I herewith send for your signature, the bill to attach Lewis county to the first judicial district.

Mr. Matlock, asked leave of absence for Mr. Kinney, until Monday morning next,

Which was granted.

Bills of the following titles were signed by the Speaker:

A bill to attach Lewis county to the first judicial district.

A bill to prevent injuries to the possession of settlers on public lands.

A bill to provide for settling Cayuse war claims.

A bill to define the jurisdiction of the supreme and district courts.

A bill giving concurrent jurisdiction to district courts, over water courses forming a boundary between judicial districts.

The bill to locate the county seat of Clackamas county,

Was read the second time, and

Referred to the committee of the whole.

The Council bill regulating proceedings in chancery,

Was laid on the table.

The committee rose, and reported to the House, a bill to lay out the judicial districts of Oregon territory, with sundry amendments.

The report was accepted,

And the amendments adopted.

The committee of the whole recommended that the bill to provide for the location of a territorial road from Oxford to Spores', be referred to a select committee, consisting of Messrs. Consor, Shaw and Walling of Clackamas.

The committee of the whole reported progress on the bill to prevent negroes and mulattoes from coming to Oregon,

Which report was accepted.

On motion,

The House adjourned until 9 o'clock, A. M., on Monday.

SEPTEMBER 17, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Holman from the committee on engrossed bills, reported as correctly engrossed,

The bill to provide for assessing and collecting county and territorial revenue, and

The bill to provide for building bridges.

Mr. Hill, from the select committee to which had been referred the petition of citizens of Clackamas county, praying for a change of the name of said county, reported by bill to change the name of Clackamas county to Jefferson, which

Was read the first time, and

Ordered to its second reading.

A message from the Council:

MR. SPEAKER: The Council have had under consideration a bill to establish the office of probate clerk, have passed the same, and herewith send for your concurrence.

The bill referred to in the foregoing message,

Was read the first time, and

Ordered to its second reading.

The Council bill to lay out the judicial districts of Oregon territory,

Was read the third time, and passed.

The bill to provide for assessing and collecting county and territorial revenue,

Was read the third time, and passed.

The bill to provide for building bridges,

Was read the third time and passed.

A message from the Council.

MR. SPEAKER: The Council do not concur in the amendments of the House to the Council bill for establishing a pilotage on the Columbia and Willamette rivers.

On motion of Mr. King,

The House adhered to the amendments in said bill.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill to provide for the election of prosecuting attorney, have passed the same, with amendments, and ask your concurrrence.

On motion,

The House went into committee of the whole.

The committee rose, and reported back to the House the bill to establish and regulate the office of sheriff, and recommended it to be referred to the standing committee of the judiciary.

The bill to license and tax merchants, was adopted as amended.

The bill declaring the qualifications of voters, was recommended to be referred to the committee on the judiciary.

The report was accepted, and the amendments adopted.

The bill to license and tax merchants,

Was read the third time, and passed.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

On motion,

The House went into committee of the whole.

The committee rose, and reported that it had had under consideration,

The bill to locate the seat of justice of Clackamas county,

And recommended its adoption.

The committee reported back to the House,

The bill to establish the south line of Linn county.

The report of the committee was adopted.

The bill to locate the seat of justice of Clackamas county,

Was read the third time, and passed.

On motion of Mr. Hill,

The bill to establish the south line of Linn county,

Was indefinitely postponed.

The yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Chapman, Hembree, Hill, King, Kinney, Mulkey, Smith, and Walling, of Yamhill—9.

Nays—Messrs. Consor, Holman, Holmes, Shaw, Walling of Clackamas, and Speaker—6.

On motion,

The House adjourned until 9 o'clock to-morrow morning.

SEPTEMBER 10, 1849, 9 A. M.

The House met pursuant to adjournment.

A message from the Council:

MR. SPEAKER: The Council insist upon their non-concurrence

with the amendments made by the House to the Council bill, establishing a pilotage on the Columbia and Willamette rivers, and ask a committee of conference of both Houses on the bill.

Messrs. Buck and McKean were appointed a committee on the part of the Council.

On motion of Mr. King,

A committee of conference on the part of the House, was appointed on said bill, consisting of Messrs. King and Burch.

Mr. Consor, from the committee on the judiciary, to which had been referred the bill to declare the qualifications of voters, reported the same back to the House, and recommended its passage.

Also, the bill to locate a territorial road from Oxford to Spores', with amendments,

Which report was adopted.

Mr. King offered the following resolution:

Resolved, That the committee on elections be instructed to bring in a bill to order a special election to fill the various county offices in the territory of Oregon.

The resolution was adopted.

Mr. Consor tendered to the House his resignation as a member of the House of Representatives of Oregon Territory, to take effect to morrow, at 10 o'clock, A. M.

Mr. Holmes offered the following resolution:

Resolved, The Council concurring therein, that both Houses of the legislative assembly will adjourn on Saturday, the 29th instant, at 10 o'clock, A. M., *sine die*.

The yeas and nays were called as follows:

Yeas—Messrs. Burch, Consor, Dunlap, Hill, Holman, Holmes, King, Mulkey, Smith, Walling of Yamhill and Speaker—11.

Nays—Messrs. Hembree, Shaw, and Walling of Clackamas—3.

Absent—Messrs. Chapman, Kinney and Matlock—3.

The bill to provide for the election of prosecuting attorney,

Was taken up, and

The House refused to concur with the amendments of the Council.

The yeas and nays were taken, as follows:

Yeas—Messrs. Consor, Dunlap and Walling of Clackamas—3.

Nays—Messrs. Burch, Hembree, Hill, Holman, Holmes, King,

Kinney, Mulkey, Shaw, Smith, Walling of Yamhill and Speaker —12.

Absent—Messrs. Chapman and Matlock—2.

The bill to provide for the location of a territorial road from Oxford to Spores',
Was read the third time, and
Passed, as amended by the judiciary committee.
A message from the Council:

MR. SPEAKER: The Council has considered the House bill respecting wills, have passed the same, and herewith send to the House.

Also, the Council do not concur in the House amendment to the first section of the Council bill, to lay out the judicial districts of Oregon territory, that part of said amendment, striking out the words "at the seat of government."

On motion,
The House receded from its amendment referred to above.
The bill to establish the office of probate clerk,
Was laid upon the table.
The bill to change the name of Clackamas county,
Was read a second time, and considered engrossed.
The bill to declare the qualification of voters in the territory of Oregon,
Was read the third time and passed.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
Mr. King, from the committee of conference on the pilotage bill, reported the following amendments to said bill:
Section 1, third line, strike out the word "and."
Section 1, fourth line, insert "and Nathaniel Crosby," and strike out "Lot Whitcomb, John Adair and James Taylor."
Section 2, fourth line, after the word "five," insert "thousand."
Strike out the 8th section.
Section 10, third line, strike out the word "his" and insert "the."
Add the following section:
Section 12. That if a pilot, acting under the provisions of this act, shall have boarded any vessel outward bound, and shall be detained on said vessel and carried out to sea, or to any foreign port, the officers of said vessel, so detaining said pilot, shall be liable to

pay to the pilot so detained, a compensation equal to the pay of the highest officer on board of said vessel, for all the time he shall be so detained from his proper post.

The above report was adopted by the House.

Mr. Hill, from the committee on elections, reported

A bill to provide for a special election,

Which was read the first time,

The rules were suspended, and

Read the second time, and

Considered engrossed.

A message from the Council:

Mr. Speaker: The Council do not concur with the House amendments to the Council bill to establish a territorial road from Oxford, on the Willamette river, to Spores', in Linn county.

Also, the Council refuse to recede from their amendments to the House bill to provide for the election of prosecuting attorneys, and have appointed a committee of conference, and ask a like committee to be appointed by the House on said bill.

Messrs. Ford and Blain were appointed a committee on the part of the Council.

On motion,

The House went into committee of the whole upon the bill to prevent free negroes and mulattoes from coming to Oregon.

The committee rose, reported progress, and asked leave to sit again,

Which report was adopted.

On motion,

The House adjourned until 9 o'clock, A. M.

September 19, 1849, 9 A. M.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Hill and Kinney a committee of conference on the bill to provide for the election of prosecuting attorney.

The bill to provide for a special election,

Was read the third time; and

Recommitted to the committee on elections.

The Speaker signed the bill to lay out the judicial districts of Oregon territory.

Mr. Matlock presented a bill to provide for recording land claims, which

Was read the first time, and

Ordered to its second reading.

The bill to change the name of Clackamas county,
Was indefinitely postponed.

The House went into committee of the whole upon the bill to prevent free negroes and mulattoes from coming to, or settling in Oregon territory.

The committee rose, and reported the bill back to the House, with sundry amendments,
Which was adopted.

On motion,
The bill was ordered to be engrossed.

A message from the Council:

MR. SPEAKER: The following named and accompanying bills are herewith sent for your signature:

An act to declare the qualification of voters in the territory of Oregon, and

A bill to establish a system of common schools.

The Speaker signed the said bills.

Mr. Hembree offered the following resolution:

Resolved, The Council concurring herein, that the two Houses will meet on Thursday, the 27th instant, at two o'clock P. M., in the hall of the House of Representatives, for the purpose of electing a school commissioner, a territorial auditor, and treasurer.

Which resolution was adopted.

Mr. Chapman offered the following resolution:

Resolved, The Council concurring herein, that a committee of three from each House, be appointed to enquire what system of laws upon crimes and punishments, will be most likely to meet the approbation of the assembly, and that they report by bill or otherwise.

Which resolution was adopted.

Messrs. Chapman, Burch, and Walling, of Yamhill, were appointed a committee on the part of the House.

On motion of Mr. Hill,
The vacancy in the committee on Indian affairs, occasioned by the resignation of Mr. Consor, was filled by the Speaker's appointing Mr. Shaw to fill said vacancy.

Mr. Chapman offered the following resolution:

Resolved, That the committee on Indian affairs enquire into the expediency of authorizing county courts to bind out Indians under the age of twenty-one years, with the consent of the parents, if any to be found.

The resolution was lost.

A communication from Jacob Consor was read.

A message from the Council:

MR. SPEAKER: The Council have passed the House bill to provide for building bridges, by amending the third section of the same, and herewith send it for your concurrence.

On motion,
The House concurred with the Council in its amendment to the said bill.
Mr. Holman offered the following resolution:

Resolved, That the secretary of the treasury inform this House,
1st. Whether he has on hand funds for the payment of the members of the legislative assembly.
2nd. Whether he considers himself empowered to decide upon the right of a member to draw for the time of the recess, under the authority of the House.
3d. If he has no funds on hand, what information, if any, he has respecting the appropriation by Congress, for this purpose.

Which resolution was adopted.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
Mr. Holman from the committee on engrossed bills, reported as correctly engrossed,
The bill to prevent free negroes or mulattoes from coming to, or residing in Oregon territory.
The bill read the third time, and passed.
The yeas and nays having been called for as follows:

Yeas—Messrs. Burch, Chapman, Hembree, Hill, Holmes, Kinney, Mulkey, Shaw, Smith, Walling of Clackamas, Walling of Yamhill and Speaker—12.

Nays—Messrs. Dunlap, Holman, King and Matlock—4.

A message from the Council:

MR. SPEAKER: The Council have adopted the House resolution for the two Houses to meet in joint convention, in the hall of the House of Representatives, for the purpose of electing an auditor, treasurer, and a school commissioner, on the 27th instant, at 2 o'clock, P. M.

Communication from the Secretary:

SECRETARY'S OFFICE,
Oregon City, Sept. 19, 1849.

To the Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of a copy of the resolution of the Honorable, the House of Representatives, which is in the following words, to-wit:

"*Resolved*, That the secretary of the territory inform this House, 1st. Whether he has on hand funds for the payment of the members of the legislative assembly. 2nd. Whether he considers himself as empowered to decide upon the right of a member to draw for the time of the recess, under authority of the House. 3d. If he has no funds on hand, what information, if any, he has respecting the appropriation by Congress for this purpose."

In answer to the questions therein propounded, I have the honor to state, that I have no funds whatever on hand for the payment of the members of the legislative assembly, the payments already made having been advanced upon my own individual responsibility, from funds furnished by his excellency, Governor Lane, for that purpose.

2nd. That it being declared by the 11th section of the act to establish the territorial government of Oregon, that the secretary shall, in the disbursement of all moneys intrusted to him, be governed *solely* by the instructions of the secretary of the treasury of the United States, and having, as yet, received neither moneys nor instructions from him, I do not consider myself as empowered to decide upon the right of a member to draw for the time of the recess.

3d. That I have no information whatever, respecting the funds for the payment of the legislative assembly, except that contained in the provision of the act of Congress of March 3d, 1849, making an appropriation of twenty thousand six hundred dollars, for compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly.

I have the honor to be, very respectfully.
Your obedient servant,
K. PRITCHETTE,
Sec'y of the Ter'y.

On motion,
The House adjourned until 9 o'clock, to-morrow morning.

SEPTEMBER 20, 1849, 9 A. M.

The House met pursuant to adjournment.

Mr. Hill from committee on elections, reported a bill to provide for a special election.

Mr. Chapman, from committee of the judiciary, to whom had been referred the bill regulating the office of sheriff, reported the same without amendment, and recommended its passage.

Also, a bill to license auctioneers, and to impose a tax upon licenses and sales.

Mr. Matlock, from select committee to whom had been referred the bill to regulate the sale of spirituous liquors, reported the same back with amendments, as instructed by the House.

Mr. Chapman, agreeably to previous notice, introduced

A bill to provide for taking an expression of the people, for and against a convention.

The House bill to provide for holding a special election,
Was read the first time, and
The rules were suspended, and
The bill was read the second time, and
Referred to the committee of the whole.
The bill to license auctioneers,
Was read the first time, and
Ordered to its second reading.
The bill to provide for taking an expression of the people, for and against a convention,
Was read the first time, and
Ordered to its second reading.
A message from the Council:

MR. SPEAKER: The following resolution passed the Council:

Resolved, That the House be and is hereby requested to concur with the Council in changing the name "school commissioner," in the resolution of yesterday, to "superintendent of common schools," the officer to be elected on Thursday, the 27th instant.

On motion,
The House concurred in the change mentioned in the above message.
The following message was received from the Council:

[redacted]

Was read the second time, and
The rules having been suspended, was
Referred to the committee of the whole.
On motion,
The House went into committee of the whole.
The committee rose and reported having had under consideration the bill to provide for recording land-claims, and having amended the same; also, the bill to provide for a special election, with amendments.
On motion,
The report was accepted, and the amendments adopted.
On motion,
The said bills were ordered to be engrossed.
On motion,
The rules were suspended, and
The bill to regulate the sale of spirituous liquors,
Was read the second time, and
Referred to committee of the whole.
Mr. Chapman offered the following resolution:

Resolved, The Council concurring herein, that the secretary be requested to borrow the necessary funds to pay the expenses of the legislative assembly, and refund the same out of the appropriation by Congress.

Which was adopted.
Mr. Hembree, on leave, introduced a bill to repeal the law preventing the sale of fire-arms to Indians,
Which was read the first time, and
Ordered to its second reading.
Mr. Hill offered the following resolution:

Resolved, The Council concurring herein, that a committee of three from each House, be appointed to enquire into the expediency of memorializing Congress to remove all fences, stumps and rubbish from, in the vicinity of [illegible], now standing along the [illegible] and all other [illegible] now standing along [illegible] in the territory, east of the [illegible]

[illegible]

than that found in the late revision of Iowa; yet the length of State codes, their application to State governments, and the labor, time and care necessary to alter and fit them to laws now in force, and upon their passage in this territory, would, in the opinion of your committee, render it highly inexpedient at this time to attempt to frame a code from any State government. The criminal code from the Iowa Statutes, is plain, simple, and expressly adapted to a territorial government, and but little alteration will be necessary.

Your committee, therefore, unanimously recommend the following as an amendment to the bill to enact and cause to be published a code of laws:

Insert in the list of titles of acts adopted as No. 17, the following: "An act defining crimes and punishments," page 162.

Mr. Holman, from committee on engrossed bills, reported as correctly engrossed,

A bill to provide for a special election.

Also, a bill to provide for recording land claims.

On motion of Mr. Hembree,

The rules were suspended,

And both of the above bills were

Read the third time and passed.

Mr. Matlock, on leave, introduced a bill to provide for the next meeting of the legislature, which

Was read the first time, and

The rules were suspended, and

Read the second time, and

Referred to committee of the whole.

On motion,

The House went into committee of the whole upon said bill.

The committee rose, and reported the same back to the House, with the following amendment,

"Strike out all after the enacting clause."

The report of the committee was accepted, and upon the question to adopt the amendment,

The yeas and nays were taken, as follows:

Yeas—Messrs. Hembree, Hill, Holman King, Kinney, Mulkey, Walling of Clackamas, Walling of Yamhill and Speaker—9.

Nays—Messrs. Burch, Chapman, Dunlap, Holmes, Matlock, Shaw and Smith—7.

On motion,

The rules were suspended, and

The bill to repeal an act to prevent the sale of fire-arms to Indians,

Was read a second time, and

Referred to committee of the whole.

On motion,

The House went into committee of the whole upon said bill, and

upon the resolution in reference to memorializing Congress to remove all friars, monks, &c.

The committee rose, and reported the adoption of the bill, and the rejection of the resolution.

On motion,

The report was accepted.

On motion,

The House adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 21, 1849, 9 A. M.

The House met pursuant to adjournment.

The following message from the Council was received:

Mr. SPEAKER: The Council has rejected the House resolution to call upon the Secretary to take a loan for paying the members of the legislative assembly.

Also, the Council have had the House bill to license and tax merchants, under consideration, have passed the same with amendments, and herewith send to the House.

On motion,

The House refused to concur with the Council in its amendments to said bill.

Mr. Chapman offered the following resolution:

Resolved, That a committee of five be appointed, whose duty it shall be to prepare and report to this House, a bill providing for the construction of a canal around the Willamette falls.

On the adoption of the above, the yeas and nays were ordered, and a unanimous vote given in favor of the resolution, and Messrs. Chapman, King, Holman, Burch and Mulkey were appointed said committee.

The resolution of Mr. Hill, offered on yesterday, in reference to memorializing Congress concerning friars, monks, &c.,

Was taken up, and

The question of its adoption decided negatively,

The yeas and nays being called, as follows:

Yeas—Messrs. Holmes, Mulkey, and Shaw—3.

Nays—Messrs. Burch, Chapman, Dunlap, Hembree, Holman, Kinney, Matlock, Smith, Walling of Clackamas, Walling of Yamhill and Speaker—12.

Absent—Mr. Hill.

The bill to repeal the law to prevent the sale of fire-arms to Indians,

Was considered engrossed,

Read the third time, and lost.

The bill to provide for the next meeting of the legislative assembly, was.

Laid upon the table.

On motion,

The House adjourned untll 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The bill to provide for taking an expression of the people for and against a convention,

Was read the second time, and

Referred to the committee of the whole.

The bill to license auctioneers,

Was read the second time, and

The rules were suspended,

Was read a third time, and passed.

On motion of Mr. Chapman,

The House went into committee of the whole upon the bill to provide for taking an expression of the people for and against a convention to form a State government.

The committee rose, and reported the bill back to the House, with amendments.

On motion,

The report was accepted,

And the amendments were adopted.

The bill was ordered to be engrossed.

A message from the Council:

MR. SPEAKER: The Council have passed the accompanying bills:

The House bill to locate the seat of justice of Clackamas county, with amendments.

The House bill to provide for a special election, with amendments, and

The House bill to prevent free negroes and mulattoes from coming into, or residing in Oregon.

Also, an engrossed Council bill to establish an academy in Washington county, is herewith sent for your signature.

A message from the Council:

MR. SPEAKER: The Council have appointed a committee of two,

to confer with a like committee to be appointed by the House, to consider the variance between the two Houses, on the bill to license and tax merchants.

Messrs. Ford and Blain committee on the part of the Council.

The Speaker appointed Messrs. King and Burch on the part of the House.

A communication from the Governor, announcing to the House the death of James K. Polk, late President of the United States, was read, as follows:

EXECUTIVE CHAMBER,
Oregon City, Sept. 21, 1849.

To the Council and House of Representatives of the Legislative Assembly of the Territory of Oregon.

GENTLEMEN—With deep regret, I announce to you the painful news of the death of James K. Polk, late President of the United States, which occurred at Nashville, Tennessee, on the 15th day of June last.

We are suddenly called upon to mourn the loss of a great and good man, the recollection of whose long services in the councils of the nation, and his still more distinguished services as President of the United States, will forever be remembered by the friends of civil and religious liberty.

As a mark of respect to the memory of a citizen, so distinguished, I would most respectfully recommend to the Legislative Assembly, to adjourn, and that all business be suspended, until Monday next, and that the Houses be immediately placed in mourning, and that such other suitable steps be taken upon this melancholy occurrence, as may in your wisdom seem proper.

JOSEPH LANE.

Mr. Chapman offered the following resolution:

Resolved, The Council concurring herein, that a committee of four be appointed by each House, to draw up resolutions expressive of the sense of the two Houses, in reference to the death of James K. Polk, late ex-President of the United States, and report the same to the two Houses.

A message from the Council:

MR. SPEAKER: The Council have appointed a committee of four to confer with a like committee to be appointed by the House, on the subject of the communication of his excellency, Joseph Lane, of this instant.

Committee—Messrs. Ford, Shannon, Blain and Buck.

On motion,

The House appointed a committe to confer with the above Council

committee, consisting of Messrs. Chapman, King, Walling of Clackamas and Smith.

On motion,

The House adjourned until 7 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Chapman from the joint committee to which had been refered the communication of the Governor, in reference to the death of James K. Polk, late ex-President of the United States, reported the following resolutions:

Resolved, That the two Houses of the legislative assembly of the territory of Oregon, deeply sympathize with their fellow-citizens of the United States, upon the death of our distinguished fellow-citizen James K. Polk, late ex-President of the United States.

Resolved, That as a further testimony of our respect for the memory of that distinguished man, and his eminent services, that the members and officers of the two Houses, wear crape on their left arm until the end of the present session of the assembly, and that the two Houses be dressed in mourning.

Resolved, That a funeral oration be delivered in the hall of the House of Representatives, on to-morrow, at 3 o'clock, P. M.

Resolved, That the two Houses will adjourn until Monday next, and that all public business be suspended until that time.

On motion,

The report of the committee was adopted.

A message from the Council:

MR. SPEAKER: The Council have adopted the report of the joint committee to whom was referred the message of his excellency, the Governor of this territory.

On motion,

The House adjourned until Monday, at 10 o'clock, A. M.

SEPTEMBER 24, 1849, 10 A. M.

The House met pursuant to adjournment.

On calling the roll, it appeared there was not a quorum present, whereupon,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
A message from the Council:

MR. SPEAKER: The Council have indefinitely postponed the House bill to license auctioneers, and impose a tax on licenses and sales.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill providing for the recording of land claims, have passed the same, with amendments, and send herewith to the House.

A message from the Council:

MR. SPEAKER: The Council have adopted the following resolution:

Resolved, The House concurring, that the two Houses will adjourn on Saturday, the 29th of September instant, *sine die*.

On motion,
The House concurred with the Council in its amendments to the bill providing for recording land claims.
The resolution of the Council to adjourn *sine die*, on the 29th instant,
Was laid upon the table.
A motion was made to take up the bill to provide for the next meeting of the legislature,
Which motion was lost.
On motion,
The House adjourned until 9 o'clock, A. M.

SEPTEMBER 25, 1849, 9 A. M.

The House met pursuant to adjournment.
Hr. Holman from committee on engrossed bills, reported as correctly engrossed, the bill to provide for taking an expression of the people for and against a convention to form a State government.
Said bill was laid upon the bill.
On motion,
The bill to provide for locating the seat of justice in and for Clackamas county,

Was taken up, and
The amendments of the Council were concurred in.
The Council bill respecting proceedings in chancery, was referred to the committee of the judiciary.
On motion,
The bill to provide for the next meeting of the legislature,
Was taken up, and
On motion,
The House went into committee of the whole upon said bill.
The committee rose, reported progress, and asked leave to sit again,
Which report was accepted.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
A message from the Council:

Mr. Speaker: The Council have had under consideration the House bill to enact and cause to be published a code of laws, have made sundry amendments, which are herewith sent for your concurrence.

On motion,
The said bill was referred to the committee on the judiciary.
Mr. Walling, of Yamhill, on leave, presented a bill to establish the southern boundary of Yamhill county,
Which was read the first time,
And ordered to its second reading.
A message from the Council:

Mr. Speaker: The Council have had under consideration the following named and accompanying bills, have passed the same, and herewith send for your concurrence, to-wit:
A bill to incorporate Oregon City, and
A bill for the relief of the poor.

The Council bill for the incorporation of Oregon City,
Was read the first time, and
Ordered to its second reading.
The Council bill for the relief of the poor,
Was read the first time, and
Ordered to its second reading.
Mr. Holman moved to take from the table the bill fixing the heraldry of Oregon.

Motion lost.
Mr. Hill offered the following resolution:

Resolved, That the Speaker of this House be requested to instruct the sergeant-at-arms, to call on the Governor for a statement of the last census of Oregon territory.

On motion,
The House adjourned until 9 o'clock to-morrow morning.

SEPTEMBER ,26 1849, 9 A. M.

The House met pursuant to adjournment.
Mr. Chapman from the committee on the judiciary, to whom had been referred the bill to enact and cause to be published a code of laws, as amended by the Council,
Reported the same back to the House, and recommended the House not to concur with the amendments of the Council.
The report was accepted,
Messrs. Chapman, Matlock and King were appointed a committee of conference on said bill.
Mr. Dunlap, from the committee on claims, to whom had been referred the petition of David Crawford, reported unfavorably.
Mr. Matlock, from the joint committee on enrolled bills, reported as correctly enrolled, the following named bills:
A bill to locate the seat of justice of Clackamas county.
A bill to provide for building bridges.
A bill to prevent free negroes or mulattoes from coming to or residing in Oregon.
A bill to provide for recording land claims, and
A bill respecting wills,
Which were severally signed by the Speaker.
Mr. Matlock, on leave, introduced a bill to provide for superintending the printing of the laws,
Which was read the first time,
The rules were suspended, and
Read the second time, and
The rules were again suspended, the bill
Was read the third time and passed.
On motion of Mr. Walling, of Yamhill,
The bill to provide for a special election,
Was taken up, as amended by the Council, and
On motion,
The House refused to concur with said amendments.
Mr. Chapman offered the following resolution:
Resolved, That the reconsideration of the vote concerning the re-

port of the committee of conference upon the bill to establish an academy in Washington county, exceeded the authority of the House, the matter having passed from its possession.

The resolution was adopted.

The bill to incorporate Oregon City,

Was read the second time, and

Referred to the committee of the whole.

The bill to establish the south line of Yamhill county,

Was read the second time, and

Referred to committee of the whole.

The bill for the relief of the poor,

Was read the second time, and

Referred to committee of the whole.

On motion,

The House went into committee of the whole.

The committee rose, having had under consideration a bill to incorporate Oregon city, and reported the same back, with sundry amendments,

Which report was accepted,

And the amendments adopted.

A message from the Council:

MR. SPEAKER: The Council have adopted the following resolution:

Resolved, The House concurring, that the secretary be requested to inform the two Houses of the legislature, what has been the amount, in full, of the contingent expenses of the legislature at its present session.

A message from the Council:

MR. SPEAKER: The Council have adopted the following resolution:

Resolved, The House concurring, that each House appoint a committee of three to draft a memorial to the Congress of the United States.

Messrs. Buck, Mealy and Shannon, committee on the part of the Council.

On motion,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The bill to incorporate Oregon City,

Was read the third time, and passed.

The House adopted the resolution from the Council, to appoint a

committee of three from each House, to draft a memorial to the Congress of the United States.

Messrs. Chapman, Matlock and King, committee on the part of the House.

On motion,

The resolution of the Council, calling on the Secretary for a statement of the contingent expenses of the two Houses of the legislature,

Was adopted, after so amending it as to require him to state each particular item of the expenses.

On motion,

The House went into committee of the whole upon sundry bills.

The committee rose, and reported back to the House the following bills:

A bill to establish the south line of Yamhill county.

A bill for the relief of the poor, with amendments.

A bill to regulate the sale of spirituous liquors, without amendments, and

A bill to provide for the next session of the legislature.

The report of the committee was accepted, and the several amendments adopted.

On the motion to indefinitely postpone the bill to regulate the sale of spirituous liquors,

The yeas and nays were called for, the House refusing to postpone, as follows:

Yeas—Messrs. Burch, Hill, King, Mulkey and Smith—5.

Nays—Messrs. Chapman, Hembree, Holman, Kinney, Matlock, Shaw, Walling of Yamhill and Speaker—9.

Absent—Messrs. Holmes and Walling, of Clackamas.

The bill was then put upon its final passage, and was decided in the affirmative,

The yeas and nays having been called for as follows:

Yeas—Messrs. Burch, Chapman, Dunlap, Hembree, Holman, Kinney, Matlock, Shaw, Walling of Yamhill and Speaker—10.

Nays—Messrs. Hill, King, Mulkey and Smith—4.

Absent—Messrs. Holmes and Walling of Clackamas.

On motion,

The rules were suspended, and

The bill to establish the south line of Yamhill county,

Was read the third time, and passed.

Mr. Holman, on leave, introduced a bill to apportion the representation of the several counties in Oregon territory, which

Was read the first time, and
Ordered to its second reading.
On motion of Mr. Holman,
The rules were suspended,
The bill was read a second time, and
Referred to the committee of the whole.
On motion of Mr. Walling of Yamhill,
The House went into committee of the whole upon said bill.
The committee rose, and reported the bill back to the House.
Which report was accepted.
On motion of Mr. Chapman,
The bill was referred to a select committee of three, with instructions to report a bill to provide for taking the census of Oregon territory.
Messrs. Matlock, Hill and Dunlap were appointed said committee.
On motion,
Mr. Kinney was added to said committee.
On motion of Mr. Chapman,
The resolution from the Council to adjourn both Houses on the 29th instant,
Was taken up,
And adopted.
On the question of its adoption,
The yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Chapman, Hembree, Holman, King, Matlock Mulkey, Shaw, Smith, Walling of Yamhill and Speaker—11.

Nays—Messrs. Hill, Kinney and Walling of Clackamas—3.

Absent—Messrs. Dunlap and Holmes.

Messrs. Walling of Clackamas, and Hembree were appointed a committee of conference on the part of the House, on the bill to provide for a special election.
The bill to provide for the next meeting of the legislature,
Was indefinitely postponed by the following vote,
The yeas and nays were called as follows:

Yeas—Messrs. Burch, Chapman, Dunlap, Holman, King, Matlock, Mulkey, Shaw, Smith, Walling of Clackamas and Speaker—11.

Nays—Messrs. Hembree, Hill, Kinney and Walling of Yamhill—4.

Absent—Mr. Holmes.

The following messages from the Council were read:

MR, SPEAKER: The Council adhere to their amendments to the House bill to provide for a special election.

Also, the Council have appointed a committee of three to confer with a like committee from the House, on the House bill to enact and cause to be published a code of laws.

Also, the Council have passed the accompanying bills, to-wit:

A bill authorizing probate courts to establish county lines, and

A bill supplementary to an act, entitled, an act to establish a pilotage on the Columbia and Willamette rivers, and herewith send for your concurrence.

Also, the Council have passed the House bill to establish the price of public printing, and herewith send to the House.

Also, the Council have passed "the bill respecting fees," in the House bill to enact and cause to be published a code of laws, by amending the House amendment, by deducting twenty-five per cent. from them, and where the fees are provided for probate judges, they shall be applied to probate clerks.

Also, the Council concur in the House amendments to Council resolution, calling on the secretary for information concerning the expenses of the legislature.

Also, The Council have passed the Accompanying bill, to provide for assessing and collecting county and territorial revenue, and herewith send to the House, with amendments.

Also, the Council have passed the House bill concerning executors and administrators, and herewith send to the House.

The Council bill to authorize probate courts to establish county lines,

Was read the first time, and

Ordered to its second reading.

The Council bill supplementary to the bill entitled, an act to establish a pilotage on the Willamette and Columbia rivers, was

Read the first time, and

Ordered to its second reading.

On motion,

The House concurred with the Council in its amendments to the revenue bill.

On motion,

The House adjourned until 8 o'clock, A. M.

SEPTEMBER 27, 1849, 8 A. M.

The House met pursuant to adjournment.

Mr. Chapman, from the committee on the judiciary, reported a bill to change the day of the commencement of the district courts.

Also, a bill to lay out a road from Oregon City to Salem, which were severally

Read the first time, and
Ordered to a second reading.
A message from the Council:

MR. SPEAKER: The Council have passed the accompanying House bill to provide for superintending the printing of the laws, and herewith send to the House.

Mr. King, from the committee of conference on the bill to license and tax merchants, reported certain amendments,
Which report was accepted,
And the amendments adopted.
Mr. Chapman, from the committee of conference on the bill to enact and cause to be published a code of laws, reported certain amendments,
Which report was accepted,
And the amendments adopted.
A message from the Council:

MR. SPEAKER: The Council have indefinitely postponed the House bill to establish the south line of Yamhill county.

Also, the Council have appointed Messrs. Blain and Buck a committee to confer with a like committee from the House, on the bill to provide for a special election.

Mr. Chapman from committee on the judiciary, to whom had been referred the bill directing the proceedings in chancery, and the bill regulating ferries, reported the same back to the House, recommending their passage.
The bill regulating ferries,
Was read the first time,
The rules were suspended,
The bill read a second time, and
The rules were further suspended, and the bill
Was read the third time, and passed.
The bill directing the mode of proceedings in chancery,
Was read the first time,
The rules were suspended,
The bill read the second time,
The rules further suspended, and the bill
Was read the third time, and passed.
Mr. Matlock, from the select committee to whom had been referred the bill to apportion the representation, with instructions, reported a bill to provide for taking the census of Oregon territory,
Which was read the first time, and
Ordered to its second reading.
On motion of Mr. Chapman,
The bill establishing and regulating the office of sheriff,
Was taken up,
Read the first time, and

The rules were suspended,
The bill read the second time, and
The rules again suspended, and the bill
Was read the third time and passed.
On motion,
The rules were suspended,
For the purpose of taking up the bill to provide for taking the census, which
Was read a second time, and
The rules were suspended, and
Was read a third time, and passed.
On motion,
The rules were suspended,
For the purpose of taking up the bill to change the day of commencement of the district courts, which
Was read the second time, and
The rules having been suspended, was
Was read the third time, and
Passed.
On motion,
The rules were suspended,
For the purpose of taking up a bill to lay out a road from Oregon City to Salem, which
Was read the second time, and
The rules were suspended, and
Was read the third time, and passed.
The Council bill supplementary to the bill to establish a pilotage on the Columbia and Willamette rivers,
Was read the second time, and
Referred to the committee of the whole.
On motion,
The House went into committee of the whole upon said bill.
The committee rose, and reported the same back to the House, with amendments.
The report was accepted,
And the amendments were adopted.
On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.
A message from the Council.

MR. SPEAKER: Herewith is sent for your signature, the accompanying bills, to-wit:
An act for the relief of the poor, and
An act to incorporate Oregon City.

The Speaker signed the said bills.

Mr. Holman offered the following resolution:

Resolved, The Council concurring herein, that the two Houses, while in joint convention this evening, proceed to elect a territorial librarian.

Which resolution was adopted.

A message from the Council:

MR. SPEAKER: The Council have adopted the amendments made by the joint committee on the House bill, to provide for the election of prosecuting attorneys, and have made the amendment in the bill by striking out the word "two," in the tenth line of the 6th section, and inserting the word "three," and herewith send to the House.

On motion,

The House adopted the report of the joint committee of conference on the bill to provide for the election of prosecuting attorneys.

A message from the Council:

Mr. SPEAKER: The Council members will meet in the hall of the House of Representatives within twenty minutes.

Also, the Council refuse to adopt the report of the committee on the House bill to tax and license merchants.

Also, the Council have adopted House resolution to elect this evening a territorial librarian.

The members of the Council repaired to the hall of the House of Representatives, whereupon,

The President of the Council took the chair, and the two Houses proceeded in joint convention, to elect, *viva voce*, a territorial librarian, a terrritorial auditor, a territorial treasurer, a superintendent of common schools, and, by ballot, a person to superintend the printing of the laws.

B. Genois having received all the votes cast for territorial auditor, was declared duly elected to that office.

James Taylor having received all the votes cast for territorial treasurer, was declared duly elected to said office.

James McBride having received a majority of all the votes cast for superintendent of common schools, was declared duly elected to said office.

W. T. Matlock having received all the votes cast for territorial librarian, was declared duly elected to that office.

Wilson Blain having received a majority of all the votes cast for the office of superintendent of the printing of the laws, was declared duly elected to said office.

The business of the convention having been accomplished, the Council members retired, and the Speaker resumed the chair.

Mr. Chapman presented a bill to regulate grocery license, which

Which was read the first time, and
The rules were suspended, the bill
Read the second time, and
Referred to committee of the whole.
On motion,
The House went into committee of the whole upon said bill.
The committee rose, and reported the bill back to the House, with amendments.
On motion,
The report was accepted, and
The amendments were adopted.
On motion,
The rules were suspended, and
The bill was read the third time, and passed.
The Council bill supplementary to the bill to establish a pilotage on the Columbia and Willamette rivers,
Was indefinitely postponed.
On motion,
The House adjourned until 9 o'clock, to-morrow morning.

SEPTEMBER 28, 1849, 9 A. M.

The House met pursuant to adjournment.
Mr. Chapman introduced a bill for an act, supplementary to an act entilted,
An act to provide for assessing and collecting county and territorial revenue, which
Was read the first time, and
Ordered to its second reading.
The Council bill authorizing probate courts to establish county lines,
Was read the second time, and
Referred to committee of the whole.
On motion of Mr. Hembree,
The rules were suspended,
For the purpose of taking up the bill supplementary to the bill to provide for assessing and collecting county and territorial revenue, which said bill
Was read the second time, and
Referred to committee of the whole.
On motion of Mr. Hill,
The vote of yesterday to indefinitely postpone the Council bill supplementary to the act establishing a pilotage on the Columbia and Willamette rivers,
Was reconsidered, and

The bill was recommitted to the committee of the whole.

On motion of Mr. Hembree,

The House resolved itself into committee of the whole upon said bill.

The committee rose, and reported the bill back to the House with sundry amendments.

The report was accepted, and

The amendments were adopted.

The committee also reported back to the House the bill supplementary to the revenue act.

Which report was adopted.

Also, the Council bill authorizing probate courts to establish county lines, which was amended by striking out all after the enacting clause.

The report was accepted,

And amendments adopted.

On motion,

The Council bill to authorize probate courts to establish county lines,

Was indefinitely postponed.

Mr. Chapman, on leave, introduced a bill supplementary to an act to establish a probate court, and to define its duties and powers,

And an act to authorize probate courts to transact county business,

Was read the first time, and

The rules were suspended, and

The bill was read the second time, and

Referred to the committee of the whole.

The bill supplementary to the act to provide for assessing and collecting county and territorial revenue,

Was considered engrossed,

The rules were suspended, and the bill was

Read the third time and passed.

Mr. Walling, from the committee of conference on the bill to provide for a special election, reported to the House,

Which report was adopted.

On motion,

The rules were suspended, and

The bill supplementary to the bill to establish a pilotage on the Columbia and Willamette rivers,

Was read the third time, and passed.

A message from the Council was read in reference to the adoption by the Council, of a resolution proposing to appoint a joint committee to receive proposals for printing the laws passed by legislative assembly, and the journals of the two Houses.

The resolution was amended by the House, so as to read as follows:

Resolved, That there shall be two commissioners appointed, one by each House of the legislative assembly, whose duty it shall be to

receive proposals up to 10 o'clock, A. M., on Saturday, the 13th day of October next, for the printing, according to law, of the laws and journals of both Houses, and binding the same, and thereupon contract with the lowest bidder, who shall comply with the law, *provided*, such bid shall be within the amount allowed by law. Should no proposals be offered within the limits of the law, such commissioners may contract for the same as soon thereafter as possible. The said commissioners shall cause the above to be published in the first number of the "Oregon Spectator" that may be issued.

A message from the Council was read, informing the House of the adoption, by the Council, of the amendment by the House of the above resolution.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the report of the conference committee on the bill to enact and cause to be published a code of laws, have adopted the same, and herewith send to the House.

On motion,

The House went into committee of the whole upon the bill supplementary to the bill to establish probate courts, &c.

The committee rose, and reported the bill back to the House without amendments.

The report was adopted.

On motion,

The bill was considered engrossed,

The rules were again suspended, the bill

Was read the third time and passed.

On motion,

The House adjourned untll 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

A message from the Council:

MR. SPEAKER: The Council have had under consideration the House bill to change the day of the commencement of the district courts, have passed the same, and herewith send to the House.

Mr. Hill offered the following resolution:

Resolved, The Council concurring, that the two Houses will meet in the hall of the House of Representatives, at 4 o'clock, P. M., instant, and proceed to elect, *viva voce*, a prosecuting attorney for the first, second and third judicial districts.

Which resolution was adopted.

A communication from the secretary was read.
The bill to provide for establishing the office of probate clerk,
Was taken up,
The bill read a second time, and
The rules were suspended, and the bill
Was read the third time, and passed.
The bill respecting oaths and affirmations,
Was read the third time, and passed.
A message from the Council:

MR. SPEAKER: The Council have adopted the resolution in relation to electing prosecuting attorneys, this evening, at 4 o'clock.

The hour for electing prosecuting attorneys having arrived, the members of the Council repaired to the hall of the House of Representatives, for the purpose of electing prosecuting attorneys, whereupon,
The President of the Council took the chair, and
The two Houses proceeded in joint convention to the election.
C. M. Walker having received all the votes cast for prosecuting attorney for the first and second districts, was declared duly elected to said office.
David Stone having received all the votes cast for prosecuting attorney for the third district, was declared duly elected to said office.
The members of the Council retired to the Council chamber, and the House resumed its business.
A message from the Council:

MR. SPEAKER: The accompanying bills are sent for your signature, to-wit:
A bill to establish and regulate the office of sheriff.
A bill regulating ferries.
A bill regulating the mode of proceeding in chancery.
A bill to establish the office of probate clerk.
A bill respecting oaths and affirmations.

The Speaker signed the said bills severally.
On motion,
The House adjourned until 9 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.
A message from the Council:

MR. SPEAKER: The Council have passed the bill to provide for taking the census, and herewith send to the House.

On motion,
The House adjourned until 8 o'clock, A. M., to-morrow.

SEPTEMBER 29, 1849, 8 A. M.

The House met pursuant to adjournment.

Mr. Matlock, from the joint committee on enrolled bills, reported as correctly enrolled, the following named bills:

A bill to provide for the superintending of the printing of the laws.

A bill to establish the price of public printing.

A bill to provide for assessing and collecting county and territorial revenue.

A bill to provide for the election of prosecuting attorneys.

A bill to provide for a special election, and

A bill to change the day of the commencement of the district courts.

All of which the Speaker signed.

On motion of Mr. King,

The House proceeded to elect a commissioner on the part of the House, to receive proposals for printing and binding the laws, and the journals of the two Houses, whereupon,

A. L. Lovejoy was duly elected.

Mr. Chapman offered the following resolution:

Resolved, That the governor be requested to borrow the necessary funds to defray the expenses of the members and officers of the legislative assembly.

The resolution was adopted.

Mr. King offered the following resolution which was unanimously adopted:

Resolved, That the thanks of this House be tendered to the honorable Speaker of this House, for the dignified and gentlemanly manner in which he has presided over the deliberations of this House.

A message from the Council:

MR. SPEAKER: The Council have elected W. W. Buck, on the part of the Council, a commissioner to receive proposals for printing the laws and journals of the two Houses.

Also, the bill supplementary to an act entitled, an act to establish a pilotage on the Columbia and Willamette rivers, is herewith sent for your signature.

Mr. King offered the following resolution, which was unanimously adopted:

Resolved, That the thanks of this House be tendered to the Chap-

laiu, for the faithful, dignified, and christian-like manner in which he has discharged his duties as such.

On motion,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Matlock, from the committee of conference on the bill respecting executors and administrators, reported that they had discharged their duties.

Mr. Chapman offered the following resolution:

Resolved, The Council concurring herein, that the joint rules be so far suspended, as to allow the passage of a bill to amend the law providing for taking the census, a bill to define county boundaries, and a bill for a road from Oxford to Linn county.

Mr. Hembree moved to strike out so much of the resolution as refers to the bill to provide for taking the census.

On the question of striking out,
The yeas and nays were taken, as follows:

Yeas—Messrs. Burch, Hembree, Hill, Holman, King, Kinney, Mulkey, Walling of Clackamas, Walling of Yamhill and Speaker—10.

Nays—Messrs. Chapman, Dunlap, Matlock, Shaw and Smith—5.

On the question of the adoption of the resolution, as amended,
The yeas and nays were called, as follows:

Yeas—Messrs. Chapman, Dunlap, Hembree, Kinney, Matlock, Shaw, Smith and Walling of Yamhill—8.

Nays—Messrs. Burch, Hill, Holman, King, Mulkey, Walling of Clackamas, and Speaker—7.

A majority of two-thirds being required to suspend the rules,
The resolution was lost.

A message from the Council:

MR. SPEAKER: The Council has passed the accompanying House bill to lay out a road from Oregon City to Salem, and herewith send to the House.

Also, the Council have passed the House bill to regulate grocery license, and herewith send to the House.

Also, the Council refuse to have the House bill for an act supplementary to an act to provide for assessing and collecting county and territorial revenue, read the third time.

The Speaker signed the bill to lay out a road from Oregon City to Salem and the bill to regulate grocery license.

On motion,

The House adjourned until 7 o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Matlock, from the committee on enrolled bills, reported as correctly enrolled, the bill to enact and cause to be published a code of laws.

The Speaker signed the bill and sent the same to the Council.

The Speaker also signed the joint resolution, in reference to appointing commissioners to receive proposals to print the laws and journals of the two Houses.

A message from the Council:

MR. SPEAKER: The Council have adopted the following resolution,

Resolved, By the Council, the House concurring, that a committee of two from each House be appointed to consider the concluding amendments to the House bill to enact and cause to be published a code of laws, and have appointed Messrs. Ford and Blain said committee.

Mr. Chapman made a motion to appoint a committee of conference to act with the committee appointed by the Council, and upon said motion,

The yeas and nays were called as follows:

Yea—Mr. Chapman—1.

Nays—Messrs. Burch, Dunlap, Hembree, Hill, Holman, King, Kinney, Matlock, Mulkey, Shaw, Smith, Walling of Clackamas, Walling of Yamhill and Speaker—14.

A message from the Council:

MR SPEAKER: The Council are now ready to adjourn, *sine die*.

On motion,

The House adjourned, *sine die*.

A. L. LOVEJOY,
Speaker of the House of Representatives.

EXECUTIVE CHAMBER,
Oregon City, July 26, 1849.

To the Speaker of the House of Representatives:

SIR—I have delayed responding to the call made upon me by the House, relative to reports from the Secretary of the treasury and Auditor of the territory, for the purpose of giving time to the gentleman who has charge of the office of the treasury, in the absence of that officer, to make out his report.

I have the honor of now being able to inform the House, that the report will be complete in the course of this day, and will then be forwarded to the House.

There is no territorial auditor, and I am unofficially informed that the books of the auditor are in the possessession of ex-Governor Abernethy, and that access can be had to them by calling on him.

In answer to the second resolve, I can inform the House that books to the amount of two thousand dollars, have been purchased in New York, and shipped for Oregon last winter, and that the balance of the appropriation will be applied, as provided for by the law of Congress.

Respectfully, your obd't servant,
JOSEPH LANE.

EXECUTIVE OFFICE,
Oregon City, Sept. 12, 1849.

Gentlemen of the Council and House of Representatives:

I have just received a communication from Major Hathaway, 1st Artillery, commanding the 11th Military Department, advising me that Capt. Hill, commanding at Steilacoom, nine miles from Fort Nisqually, in the county of Lewis, has now in confinement, six Indians, of the Snoqualimick tribe, principal actors in the murder of Wallace.

I am well satisfied that the trial and punishment of these guilty persons in the presence of their people, will have a good effect upon the tribes in that quarter.

I therefore request that you will, without delay, pass an act attaching Lewis county to the first judicial district, for judicial purposes, and authorize the holding of a special term of the said district court therein, on the first Monday in October next.

JOSEPH LANE.

NOTE.—It will be seen that the Journal of the House, for the date corresponding to that of the above message, is wanting.—COM.

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